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Congressional Record

SEVENTY-FIFTH CONGRESS, SECOND SESSION

SENATE

MONDAY, NOVEMBER 15, 1937

The second session of the Seventy-fifth Congress met this day at the Capitol, in the city of Washington, in pursuance of the proclamation of the President of the United States of the 12th day of October 1937.

JOHN NANCE GARNER, of the State of Texas, Vice President of the United States, called the Senate to order at 12 o'clock meridian.

The Chaplain, Rev. Zebulon T. Phillips, D. D., offered the following

PRAYER

Father of Life, who gavest to our dust the breath of being, whose love sustains us through each passing hour: Grant, we beseech Thee, that, as again we face the duties of our corporate task, we may be found worthier of Thy manifold blessings, while, in the stillness of this moment, we dedicate anew all that is best in us to the service of our country and our God. Let Thy blessing rest upon our Nation, upon our President, our Vice President, the Members of the Congress, and all who bear the responsibility of Government, that they may be clothed with beauty of character and dignity of purpose, which are the panoply of wisdom.

Gracious Father, lead the nations of the world into the way of justice and truth, that peace, which is the fruit of righteousness, may be established in the earth; and do Thou remove from us all clouds that have been woven out of the warp and woof of poverty and misfortune, that our people may be abundantly blest and won by the love of Him who, when He walked among men, touched poverty and clothed it with power, and made of work and wages sacraments of human fellowship; even Jesus Christ, Thy Son, our Lord. Amen.

PROCLAMATION

The VICE PRESIDENT. The clerk will read the proclamation of the President convening the Congress of the United States in extraordinary session.

The legislative clerk (Emery L. Frazier) read the proclamation of the President, as follows:

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA
A PROCLAMATION

Whereas public interests require that the Congress of the United States should be convened in extra session at 12 o'clock noon on the 15th day of November 1937 to receive such communication as may be made by the Executive:

Now, therefore, I, Franklin D. Roosevelt, President of the United States of America, do hereby proclaim and declare that an extraordinary occasion requires the Congress of the United States to convene in extra session at the Capitol in the city of Washington on the 15th day of November 1937, at 12 o'clock noon, of which all persons who shall at that time be entitled to act as Members thereof are hereby required to take notice.

In witness whereof I have hereunto set my hand and caused to be affixed the great seal of the United States.

Done at the city of Washington this 12th day of October 1937, and of the independence of the United States of America the one hundred and sixty-second.

FRANKLIN D. ROOSEVELT.

By the President:
[SEAL]

CORDELL HULL,
Secretary of State.

SENATOR FROM ARKANSAS

Mrs. CARAWAY. Mr. President, I present the credentials of Hon. JOHN E. MILLER, elected a Senator from the State of Arkansas to fill an unexpired term. I ask that they may be read.

The VICE PRESIDENT. The credentials will be received and read.

The legislative clerk read the credentials, as follows:

TO THE PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 18th day of October, 1937, JOHN E. MILLER was chosen by the qualified electors of the State of Arkansas a Senator from said State to fill the vacancy in the term ending January 2, 1943, caused by the death of Hon. Joseph T. Robinson.

Witness: His Excellency Governor (Carl E. Bailey) and our seal hereto affixed at Little Rock, this 1st day of November A. D. 1937.

CARL E. BAILEY, Governor.

By the Governor:
[SEAL]

E. G. HALL,
Secretary of State.

The VICE PRESIDENT. The credentials will be placed on file.

Mrs. CARAWAY. Mr. President, Mr. MILLER is present and ready to take the oath of office.

The VICE PRESIDENT. If the Senator-elect will present himself at the desk, the oath will be administered.

Mr. MILLER, escorted by Mrs. CARAWAY, advanced to the Vice President's desk; and the oath of office having been administered to him, he took his seat in the Senate.

CALL OF THE ROLL

Mr. BARKLEY. Mr. President, in order to determine the presence of a quorum, I suggest the absence thereof.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk (John C. Crockett) called the roll, and the following Senators answered to their names:

Adams	Clark	Johnson, Colo.	Pittman
Andrews	Connally	King	Pope
Ashurst	Copeland	La Follette	Reynolds
Austin	Dieterich	Lewis	Russell
Bailey	Donahey	Lodge	Schwartz
Bankhead	Ellender	Logan	Schwellenbach
Barkley	Frazier	Lonergan	Sheppard
Berry	George	McAdoo	Shipstead
Bilbo	Gibson	McCarran	Smathers
Borah	Gillette	McGill	Smith
Bridges	Glass	McKellar	Thomas, Okla.
Brown, N. H.	Graves	McNary	Thomas, Utah
Bulow	Green	Miller	Townsend
Burke	Guffey	Minton	Tydings
Byrd	Hale	Murray	Vandenberg
Byrnes	Hatch	Norris	Van Nuys
Capper	Hayden	Nye	Wagner
Caraway	Herring	O'Mahoney	Walsh
Chavez	Hitchcock	Pepper	White

Mr. LEWIS. I announce that the Senator from Delaware [Mr. HUGHES] and the junior Senator from West Virginia [Mr. HOLT] are absent from the Senate because of illness.

The Senator from Ohio [Mr. BULKLEY] is absent in attendance on the funeral of former Senator Pomerene, of Ohio.

I further announce that the Senator from Washington [Mr. BONE], the Senator from Michigan [Mr. BROWN], the Senator from Wisconsin [Mr. DUFFY], the Senator from Mississippi [Mr. HARRISON], the Senator from Oklahoma [Mr. LEE], the Senator from Minnesota [Mr. LUNDEEN], the Senator from Connecticut [Mr. MALONEY], the Senator from New Jersey [Mr. MOORE], the senior Senator from West Virginia [Mr. NEELY], the Senator from Louisiana [Mr. OVERTON], the Senator from Maryland [Mr. RADCLIFFE], the Senator from Missouri [Mr. TRUMAN], and the Senator from Montana [Mr. WHEELER] are necessarily detained from the Senate.

Mr. AUSTIN. I announce that the Senator from Oregon [Mr. STEIWER] is detained from the Senate on official business, and that the Senator from Pennsylvania [Mr. DAVIS] is necessarily absent.

The VICE PRESIDENT. Seventy-six Senators having answered to their names, a quorum is present.

LIST OF SENATORS BY STATES

Alabama.—John H. Bankhead and Mrs. Dixie Bibb Graves.
Arizona.—Henry F. Ashurst and Carl Hayden.
Arkansas.—Mrs. Hattie W. Caraway and John E. Miller.
California.—Hiram W. Johnson and William Gibbs McAdoo.
Colorado.—Alva B. Adams and Edwin C. Johnson.
Connecticut.—Augustine Lonergan and Francis T. Maloney.
Delaware.—John G. Townsend, Jr., and James H. Hughes.
Florida.—C. O. Andrews and Claude Pepper.
Georgia.—Walter F. George and Richard B. Russell, Jr.
Idaho.—William E. Borah and James P. Pope.
Illinois.—J. Hamilton Lewis and William H. Dieterich.
Indiana.—Frederick Van Nuys and Sherman Minton.
Iowa.—Guy M. Gillette and Clyde L. Herring.
Kansas.—Arthur Capper and George McGill.
Kentucky.—Alben W. Barkley and M. M. Logan.
Louisiana.—John H. Overton and Allen J. Ellender.
Maine.—Frederick Hale and Wallace H. White, Jr.
Maryland.—Millard E. Tydings and George L. Radcliffe.
Massachusetts.—David I. Walsh and Henry Cabot Lodge, Jr.
Michigan.—Arthur H. Vandenberg and Prentiss M. Brown.
Minnesota.—Henrik Shipstead and Ernest Lundeen.
Mississippi.—Pat Harrison and Theodore G. Bilbo.
Missouri.—Bennett Champ Clark and Harry S. Truman.
Montana.—Burton K. Wheeler and James E. Murray.
Nebraska.—George W. Norris and Edward R. Burke.
Nevada.—Key Pittman and Patrick McCarran.
New Hampshire.—Fred H. Brown and H. Styles Bridges.
New Jersey.—A. Harry Moore and W. H. Smathers.
New Mexico.—Carl A. Hatch and Dennis Chavez.
New York.—Royal S. Copeland and Robert F. Wagner.
North Carolina.—Josiah William Bailey and Robert R. Reynolds.
North Dakota.—Lynn J. Frazier and Gerald P. Nye.
Ohio.—Robert J. Bulkley and Vic Donahey.
Oklahoma.—Elmer Thomas and Josh Lee.
Oregon.—Charles L. McNary and Frederick Steiwer.
Pennsylvania.—James J. Davis and Joseph F. Guffey.
Rhode Island.—Peter G. Gerry and Theodore Francis Green.
South Carolina.—Ellison D. Smith and James F. Byrnes.
South Dakota.—W. J. Bulow and Herbert E. Hitchcock.
Tennessee.—Kenneth McKellar and George L. Berry.
Texas.—Morris Sheppard and Tom Connally.
Utah.—William H. King and Elbert D. Thomas.
Vermont.—Warren R. Austin and Ernest W. Gibson.
Virginia.—Carter Glass and Harry Flood Byrd.
Washington.—Homer T. Bone and Lewis B. Schwellenbach.
West Virginia.—Matthew M. Neely and Rush D. Holt.
Wisconsin.—Robert M. La Follette, Jr., and F. Ryan Duffy.
Wyoming.—Joseph C. O'Mahoney and Harry H. Schwartz.

NOTIFICATION TO THE PRESIDENT

Mr. BARKLEY submitted the following resolution (S. Res. 190), which was read, considered by unanimous consent, and agreed to:

Resolved That a committee consisting of two Senators be appointed to join such committee as may be appointed by the House of Representatives to wait upon the President of the United States and inform him that a quorum of each House is assembled and that the Congress is ready to receive any communication he may be pleased to make.

The VICE PRESIDENT. The Chair appoints as the committee to wait upon the President the Senator from Kentucky, Mr. BARKLEY, and the Senator from Oregon, Mr. McNARY.

NOTIFICATION TO THE HOUSE

Mr. McNARY submitted the following resolution (S. Res. 191), which was read, considered by unanimous consent, and agreed to:

Resolved, That the Secretary inform the House of Representatives that a quorum of the Senate is assembled and that the Senate is ready to proceed to business.

HOOR OF DAILY MEETING

Mr. LEWIS submitted the following resolution (S. Res. 192), which was read, considered by unanimous consent, and agreed to:

Resolved, That the hour of daily meeting of the Senate be 12 o'clock meridian unless otherwise ordered.

RECESS

Mr. BARKLEY. Mr. President, in order that the committee appointed by the Vice President to notify the President, in conjunction with a similar committee of the House of Representatives, may perform its duties, and that the necessary resolutions may be exchanged between the two Houses and the President be advised of the presence of a quorum, I move that the Senate stand in recess until 1:30 o'clock p. m.

The motion was agreed to; and (at 12 o'clock and 13 minutes p. m.) the Senate took a recess until 1:30 o'clock p. m., when it reassembled, and the Vice President resumed the chair.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, informed the Senate that a quorum of the House of Representatives had assembled and that the House was ready to proceed with business.

The message also informed the Senate that a committee of three Members had been appointed by the Speaker on the part of the House of Representatives, to join with the committee on the part of the Senate, to notify the President of the United States that a quorum of each House had assembled and that Congress was ready to receive any communication that he might be pleased to make, and that the Speaker had appointed Mr. RAYBURN, Mr. DOUGHTON, and Mr. SNELL the members of the committee on the part of the House of Representatives.

NOTIFICATION TO THE PRESIDENT

Mr. BARKLEY and Mr. McNARY appeared, and Mr. BARKLEY said: Mr. President, in accordance with the instructions of the Senate, the joint committee has notified the President that the two Houses are in session, that a quorum is present in each House, and that they are ready to receive any communication he may wish to make.

MESSAGE FROM THE PRESIDENT

A message from the President of the United States was communicated to the Senate by Mr. Latta, one of his secretaries.

(The message was received by the secretary for the majority (Leslie L. Biffle) and handed to the Vice President.)

BUSINESS CONDITIONS, AGRICULTURE, LABOR, REORGANIZATION, AND PLANNING (H. DOC. NO. 370)

The VICE PRESIDENT. The Chair lays before the Senate a message from the President of the United States, which will be read.

The Chief Clerk read as follows:

To the Congress of the United States:

Important measures are already pending before this Congress, and other matters will require early consideration. Therefore, it has seemed advisable to call this extraordinary session to expedite the work of the regular session which will begin in January.

Since your adjournment in August there has been a marked recession in industrial production and industrial purchases following a fairly steady advance for more than 4 years.

We have not been unaware of uncertainties in the economic picture. As far back as last spring I called attention to the rapid rise in many prices—a rise that threatened in particular the anticipated revival of building. And over a month ago I quoted one of the country's leading economists to this effect—that the continuance of business recovery in the United States depends far more upon business policies than it does upon anything that may be done, or not done, in Washington.

The present decline has not reached serious proportions. But it has the effect of decreasing the national income—and that is a matter of definite concern.

During the adjournment of the Congress I have sought to avail myself of the wisdom and advice of managers of large industrial and financial enterprise, of owners of small businesses in many lines, and of representatives of agriculture and of labor.

Out of long experience, I place great value on this method of getting suggestions from every possible source. Single answers or simple slogans will not cure the complicated economic problems which today face all nations.

To overemphasize one symptom out of many—to overemphasize any one panacea that for the moment appeals to any one group—is to play with the lives of all the men and women of America.

The ultimate answer to the conditions of today is a cordial and confident cooperation not only between government and every kind of citizen but also between every kind of citizen and his government. As never before in our history, the well-being of those who have much as well as those who have less depends upon a contented society of good will where the good will rests on the solid foundation that all have enough.

From these conferences and from other sources many suggestions have come to me and to other members of the executive branch of the Government. Some of these recommendations are consistent with each other; some are at complete variance.

But these discussions make it clear that we have enough wisdom in the country today not only to check the present recession but to lay the groundwork for a more permanent recovery. If the people are as willing as government to use the economic knowledge gained in recent years, this recession need go no further.

With the exercise of ordinary prudence, there is no reason why we should suffer any prolonged recession, let alone any general economic paralysis. Despite some maladjustments, which can be corrected, underlying conditions are not unfavorable.

The fundamental situation is not to be compared with the far different conditions of 1929. The banking system is not overextended. Interest rates are lower. Inventories are not dangerously large. We are no longer overextended in new construction or in capital equipment. Speculation requiring liquidation does not overhang our markets.

Obviously, an immediate task is to try to increase the use of private capital to create employment. Private enterprise, with cooperation on the part of government, can advance to

higher levels of industrial activity than those reached earlier this year. Such advance will assure balanced budgets. But obviously, also, government cannot let Nature take its course without regard to consequences. If private enterprise does not respond, government must take up the slack.

What we can do covers so wide a field and so many subjects that it is not feasible to include them all in this message.

A little later I will address you further in regard to proposals to encourage private capital to enter the field of new housing on a large scale—a field which during the past 4 years has failed almost completely to keep pace with the marked improvement in other industries.

On the subject of taxation, in accordance with my suggestion of last spring, committees of the Congress, with the cooperation of the Treasury Department, are already engaged in studies aimed at the elimination of any injustices in our tax laws. Unjust provisions should be removed, provided such removal does not create new injustices. Modifications adequate to encourage productive enterprise, especially for the smaller businesses, must not extend to the point of using the corporate form for the purpose of hiding behind it to reduce or eliminate taxes in a way not open to an individual or partnership; nor should we extend tax privileges to speculative profits on capital where the intent of the original risk was speculation rather than the actual development of productive enterprise; nor can we at this time accept a revision of our revenue laws which involves a reduction in the aggregate revenues or an increase in the aggregate tax burdens of those least able to bear them.

We should give special consideration to lightening inequitable burdens on the enterprise of the small businessmen of the Nation. Small businesses or even those of average size have difficulties of financing and distribution which are not shared by large corporations. Therefore, by special tax consideration, they should receive more equal opportunity to compete with their more powerful competitors. In this way we may also find assistance in our search for a more effective method of checking the growing concentration of economic control and the resultant monopolistic practices which persist today in spite of antitrust statutes. A further search for additional methods to meet this threat to free competitive enterprise is called for at this time.

The proposed Federal Budget for the coming fiscal year also will shortly be ready for submission to the Congress—a Budget which I expect can be brought within a definite balance.

Still other matters are receiving renewed examination—for instance, the problems of the railroads and of other public utilities. Here, because of thoroughly unsound financing extending over many past years, solutions will frankly be difficult.

But as we work with these problems of detail we must not forget the broad central truth that this administration has pledged itself to the people of the United States to carry on with a wide social program pointed toward higher living standards and a more just distribution of the gains of civilization. Much of that program is already in effect, but its continued and complete success depends on a wider distribution of an immensely enlarged national income. Such enlargement presupposes full employment of both capital and labor—reasonable profits and fair wages—a resumption of that vigorous moving equilibrium which began in 1933. Deflation and inflation are equal enemies of the balanced economy that will produce that progressive increase in national income.

In the attainment of the broad central purpose we recognize many related objectives. This message, however, deals with only four of these objectives—four which are already being considered by the Congress. Two relate directly to the stabilization and maintenance of the purchasing power of the Nation. The other two, essential tools for the whole task, look to the improvement of the machinery and functioning of both the executive and the legislative branches of the Federal Government.

1. AGRICULTURE

Intention to pass a new and permanent national farm act was declared by the Congress in joint resolution last summer. Great as the need was then, that need is still greater today. Some crops will begin to be planted within 3 months.

In recent weeks farmers have once more been facing acute surpluses and falling prices. Cotton farmers are harvesting the largest cotton crop in all our history—5,000,000 bales more than the markets of this country and of the world have been accustomed to take. Corn farmers and potato farmers are harvesting crops that threaten to crush them for producing this plenty. And the producers of other crops are wondering how soon they, too, will be the victims of surplus uncontrolled.

We must continue in our efforts toward abundance without waste. We need legislation which will not only prevent new farm surpluses from causing new collapse in farm prices, but which will also safeguard farmers and consumers against the hazards of crop failure. We need an "all weather" farm plan; a plan that uses the reasonable surpluses of a year of good weather to carry over food supplies to make up for the shortages of a year of bad weather.

Out of the experience of the last 5 years we have learned that with the aid of the Government farmers can successfully guard themselves against economic disaster.

In formulating a farm program there are certain things we must keep in mind.

We must keep in mind the fertility of our soil. We have begun to assist farmers to stop the waste of soil and save the good soil that remains. Any sound, long-time program must have soil conservation as a principal goal.

We must keep in mind the economic welfare of farm families. As a long-time national policy farmers must have a fair share in the national income to supply farmers' buying to keep city factories running.

We must keep in mind the consumers of the Nation. The blighting droughts of 1934 and 1936 which spelt disaster for so many farmers in those years were brought forcibly home to our large cities in the high prices of many foodstuffs this year. Consumers should have the same protection against the under-production of years of scarcity as the farmers should have against the overproduction of years of glut.

We must keep in mind the American democratic way. Farm programs cannot long succeed unless they have the active support of the farmers who take part in them. Our program should continue to be one planned and administered, so far as possible, by the farmers themselves. Here again, majority rule seems justified. If and when huge surpluses in any one crop threaten to engulf all the producers of that crop our laws should provide ways by which a small minority may be kept from destroying the proceeds of the toil of the great majority.

We must keep in mind the United States Treasury. I have already expressed my view that if the new Farm Act provides for expenditure of funds beyond those planned in the regular Budget, additional means should be provided to yield the additional revenue. May I reiterate that with all the emphasis I can give?

We must keep in mind the Constitution of the United States. Although vital portions of the Agricultural Adjustment Act were set aside nearly 2 years ago by the Supreme Court, acts of Congress to improve labor relations and assure workers security have since then been upheld. In these later decisions the powers of the Federal Government to regulate commerce between the States and to tax and to spend for the general welfare have been clearly recognized.

I believe that the courts themselves are coming to have increasing regard for the true nature of the Constitution as a broad charter of democratic government which can function under the conditions of today. I believe that the Congress can constitutionally write an adequate farm act that will be well within the broad meaning and purpose of the Constitution. I hope and believe that the Supreme Court will not again deny to farmers the protection which it now accords to others.

2. LABOR

I believe that the country as a whole recognizes the need for immediate congressional action if we are to maintain wage income and the purchasing power of the Nation against recessive factors in the general industrial situation. The exploitation of child labor and the undercutting of wages and the stretching of the hours of the poorest-paid workers in periods of business recession have a serious effect on buying power. In the interest of the national economy such adjustments as must be made should not be made at the expense of those least able to bear them.

I further believe that the country as a whole realizes the necessary connection between encouraging businessmen to make capital expenditures for new plants and raising the total wage income of the total of our working population. New plants today mean labor-saving machinery. What does the country ultimately gain if we encourage businessmen to enlarge the capacity of American industry to produce, unless we see to it that the income of our working population actually expands sufficiently to create markets to absorb that increased production?

I further believe that the country as a whole recognizes the need of seeking a more uniformly adequate standard of living and purchasing power everywhere, if every part is to live happily with every other part. We do not recognize the destiny of any State or any county to be permanently backward. Political and social harmony requires that every State and every county not only produce goods for the Nation's markets but furnish markets for the Nation's goods.

This does not mean that legislation must require immediate uniform minimum hour or wage standards; that is an ultimate goal.

We should provide flexible machinery which will enable industries throughout the country to adjust themselves progressively to better labor conditions. But we must not forget that no policy of flexibility will be practical unless a coordinating agency has the obligation of inspection and investigation to insure the recognition and enforcement of what the law requires.

Although there are geographic and industrial diversities which practical statesmanship cannot well ignore, it is high time that we had legislation relating to goods moving in or competing with interstate commerce which will accomplish two immediate purposes;

First. Banish child labor and protect workers unable to protect themselves from excessively low wages and excessively long hours.

Second. End the unsound practice of some communities—by no means confined to any one section of the country—which seeks new industries by offering as the principal attraction labor more plentiful and much cheaper than may be found in competing communities. To them the Congress should reiterate the oft-repeated pledge of political parties that labor is not a mere commodity.

3. REORGANIZATION

Last January I presented for the consideration of the Congress the improvement of administrative management in the executive branch of the Government. Five principal objectives were outlined:

(a) To create one or more additional departments and to give the Chief Executive authority to arrange all present and future strictly executive activities in or under regular executive departments.

(b) To establish a budget and efficiency agency, a personnel agency, and a planning agency through which the Chief Executive may coordinate the executive functions.

(c) To permit the Chief Executive to make a slight increase in the White House staff so that he may keep in close touch with, and maintain knowledge of, the widespread affairs of administration which require his final direction.

(d) To establish accountability of the Executive to the Congress by providing a genuine independent audit by an officer solely responsible to the Congress, who will, however, have no administrative part in the transactions he audits and certifies.

(e) To extend the merit system upward, outward, and downward to cover practically all non-policy-determining posts. I am giving consideration to proposed Executive orders extending the merit principle of selection under the authority vested in me by the Constitution and Revised Statutes. Executive orders, however, have not the permanence of law; they will not lessen the need for permanent legislation on this subject in connection with reorganization. I, therefore, seek a statutory modernized machinery for the permanent enforcement of merit principles in appointment, promotion, and personnel management throughout the Government service.

The experience of States and municipalities definitely proves that reorganization of government along the lines of modern business administrative practice can increase efficiency, minimize error, duplication and waste, and raise the morale of the public service. But that experience does not prove, and no person conversant with the management of large private corporations or of governments honestly suggests, that reorganization of government machinery in the interests of efficiency is a method of making major savings in the cost of government.

Large savings in the cost of Government can be made only by cutting down or eliminating Government functions. And to those who advocate such a course it is fair to put the question—which functions of Government do you advocate cutting off?

4. PLANNING

Of equal importance with intelligent reorganization of the executive departments is intelligent reorganization of our methods of spending national funds for the conservation and development of those natural resources which are the foundation of a virile national life. As I said in a special message to the Congress last spring, we have reached a stage in the depletion of our natural resources where we should allot a definite portion of each year's Budget to this work of husbandry.

Our present machinery for carrying out such purposes, however, is geared to methods of which the rivers-and-harbors legislation of many years ago is an example. We spend sporadically—on a project here and a project there, determined upon without relation to the needs of other localities, without relation to possibly more important needs of the same locality—without relation to the national employment situation or the Federal Budget.

To avoid waste and to give the Nation its money's worth from the national funds we expend, we must, like any business corporation, have a definite building and operating plan worked out ahead of time—a planned order in which to make expenditures, a planned timing for expenditures so that we may keep our working force employed, and a planned co-ordinated use of the projects after completion. And because relative values of local projects should be appraised before they come to Washington, first by those with local knowledge, and then by regional conferences, we must have some kind of local and regional planning machinery and coordination to get full value out of the final appropriations authorized in Washington—money value and human value.

Last session I recommended such machinery. For this purpose of conservation and development of our natural resources, I recommended that the country be divided into the seven great regions into which Nature divided those resources—that in such regions local authorities be set up to arrange projects into some kind of comprehensive and continuing plan for the entire region—and that only after such consideration should regional projects be submitted to the Executive and to the Congress for inclusion in a national development program of such size as the Budget of the year will permit.

Such machinery will provide decentralization. It will give local communities and the Nation alike new confidence in the true worth of such expenditures.

What these four subjects promise in continued and increased purchasing power—what they promise in greater efficiency in the use of Government funds—are intelligent

foundations for the other plans for encouragement of industrial expansion with Government help. What they promise in social contentment is an almost necessary basis for greater security of profits and property.

In the months they have been before the Congress they have been discussed from one end of the country to the other.

For the sake of the Nation, I hope for your early action.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, November 15, 1937.

The PRESIDENT pro tempore. The message will lie on the table.

BOARD OF REGENTS OF THE SMITHSONIAN INSTITUTION

The PRESIDENT pro tempore. Pursuant to the provisions of section 5581 of the Revised Statutes of the United States (U. S. C., title 20, c. 3, sec. 43) the Chair appoints the Senator from Kentucky [Mr. BARKLEY] as a member on the part of the Senate of the Board of Regents of the Smithsonian Institution, to fill the vacancy occasioned by the death of Hon. Joseph T. Robinson, late Senator from Arkansas.

ADJOURNMENT

Mr. BARKLEY. I move that the Senate adjourn.

The motion was agreed to; and (at 1 o'clock and 58 minutes p. m.) the Senate adjourned until tomorrow, Tuesday, November 16, 1937, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES

MONDAY, NOVEMBER 15, 1937

The House met at 12 o'clock noon, and was called to order by the Honorable WILLIAM B. BANKHEAD, Speaker.

The SPEAKER. The Clerk will read the proclamation of the President of the United States convening this extraordinary session of the Seventy-fifth Congress.

The Clerk read as follows:

CONVENING THE CONGRESS IN EXTRA SESSION

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA
A PROCLAMATION

Whereas public interests require that the Congress of the United States should be convened in extra session at 12 o'clock noon on the 15th day of November 1937, to receive such communication as may be made by the Executive:

Now, therefore, I, Franklin D. Roosevelt, President of the United States of America, do hereby proclaim and declare that an extraordinary occasion requires the Congress of the United States to convene in extra session at the Capitol in the city of Washington on the 15th day of November 1937, at 12 o'clock noon, of which all persons who shall at that time be entitled to act as Members thereof are hereby required to take notice.

In witness whereof I have hereunto set my hand and caused to be affixed the great seal of the United States.

Done at the city of Washington this 12th day of October A. D. 1937, and of the independence of the United States of America the one hundred and sixty-second.

FRANKLIN D. ROOSEVELT.

By the President:

[SEAL]

CORDELL HULL,
Secretary of State.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following

PRAYER

Holy, holy, holy, Lord God Almighty, Thou coverest Thyself with light as with a garment. Thou stretchest out the heavens like a curtain. The Lord shall reign forever, even Thy God, O Zion, unto all generations. O Jehovah, open our eyes that we may see. We look to Thee for that guidance which only Thou canst give. Do Thou lift us upward and onward toward brotherhood and cooperation. With receptive minds and hearts may we resume the labors

of the Congress. In the throng of doubts and temptations which may assail, may we possess firmness of virtue. Pour cleansing and forgiveness upon us and inspire us to live in accordance with some noble creed. We pray Thee, our Father, to give Thy unerring counsel to our President, our Speaker, and all Members; graciously abide with all officers and employees. Almighty God, do Thou exalt everything that magnifies the honor and the wisdom of our Republic. Oh, let faith in the future shine clear and bright. In the name of Jesus our Savior. Amen.

CALL OF THE ROLL

The SPEAKER. The Clerk will call the roll of Members of the House in order to determine whether or not a quorum is present.

The Clerk called the roll, and the following Members answered to their names:

[Roll No. 1]

Allen, Del.	Dixon	Jacobsen	Murdock, Ariz.
Allen, La.	Dondero	Jarman	Murdock, Utah
Allen, Pa.	Dorsey	Jarrett	Nelson
Amle	Doughton	Jenckes, Ind.	Nichols
Anderson, Mo.	Douglas	Jenkins, Ohio	Norton
Andresen, Minn.	Dowell	Jenks, N. H.	O'Brien, Mich.
Andrews	Doxey	Johnson, Luther A.	O'Connell, Mont.
Arends	Drew, Pa.	Johnson, Lyndon	O'Connell, R. I.
Ashbrook	Drewry, Va.	Johnson, Minn.	O'Connor, Mont.
Atkinson	Driver	Johnson, Okla.	O'Connor, N. Y.
Bacon	Duncan	Johnson, W. Va.	O'Day
Barden	Dunn	Jones	Oliver
Barry	Eaton	Kee	O'Malley
Bates	Eckert	Keller	O'Neal, Ky.
Beam	Edmiston	Kelly, Ill.	O'Neill, N. J.
Belter	Elcher	Kelly, N. Y.	O'Toole
Bell	Elliott	Kennedy, Md.	Owen
Bernard	Engel	Kennedy, N. Y.	Pace
Biermann	Englebright	Kenney	Palmisano
Bigelow	Evans	Keogh	Parsons
Binderup	Faddis	Kerr	Patman
Bland	Farley	Kinzer	Patrick
Bloom	Ferguson	Kirwan	Patterson
Boileau	Fernandez	Kitchens	Patton
Boland, Pa.	Fish	Kleberg	Pearson
Boren	Fitzgerald	Kniffin	Peterson, Fla.
Boyer	Fitzpatrick	Kocialkowski	Peterson, Ga.
Boykin	Flannagan	Kopplemann	Pettengill
Bradley	Flannery	Kramer	Pfeiffer
Brewster	Fleger	Kvale	Phillips
Brown	Fletcher	Lambertson	Pierce
Buck	Forand	Lambeth	Plumley
Burch	Ford, Calif.	Lamneck	Poage
Burdick	Ford, Miss.	Lanham	Polk
Byrne	Frey, Pa.	Lanzetta	Powers
Caldwell	Fries, Ill.	Lea	Quinn
Cannon, Mo.	Fulmer	Leavy	Rabaut
Carlson	Gambrill, Md.	Lemke	Ramsay
Carter	Gasque	Lewis, Colo.	Ramspeck
Case, S. Dak.	Gavagan	Long	Randolph
Casey, Mass.	Gearhart	Lord	Rankin
Celler	Gehrmann	Lucas	Rayburn
Chandler	Gifford	Luce	Reed, Ill.
Chapman	Gilchrist	Luckey, Nebr.	Reed, N. Y.
Church	Gildea	Ludlow	Rees, Kans.
Clark, Idaho	Gingery	Luecke, Mich.	Reilly
Clark, N. C.	Goldsborough	McClellan	Rich
Clason	Gray, Ind.	McCormack	Richards
Claypool	Gray, Pa.	McFarlane	Rigney
Cluett	Green	McGranery	Robertson
Cochran	Greever	McGrath	Robinson, Utah
Coffee, Nebr.	Gregory	McGroarty	Rogers, Mass.
Coffee, Wash.	Griswold	McKeough	Rogers, Okla.
Colden	Guyer	McLean	Romjue
Cole, N. Y.	Gwynne	McMillan	Rutherford
Collins	Haines	McReynolds	Sabath
Coltrane	Halleck	Maas	Sacks
Cooley	Hamilton	Magnuson	Sadowski
Cooper	Hancock, N. Y.	Mahon, S. C.	Sanders
Cox	Hancock, N. C.	Mahon, Tex.	Sauthoff
Cravens	Hart	Maloney	Schaefer, Ill.
Crawford	Harter	Mansfield	Schneider, Wis.
Creal	Hartley	Mapes	Schuetz
Crosby	Havenner	Martin, Colo.	Scott
Crowe	Hendricks	Martin, Mass.	Scrugham
Crowther	Hennings	Mason	Seger
Culkin	Hildebrandt	Massingale	Shafer, Mich.
Cullen	Hill, Ala.	Maverick	Shanley
Cummings	Hill, Wash.	May	Sheppard
Curley	Hobbs	Mead	Short
Daly	Hoffman	Meeks	Simpson
Delaney	Holmes	Merritt	Sirovich
Dempsey	Honeyman	Michener	Smith, Conn.
DeMuth	Hook	Mills	Smith, Maine
Dickstein	Hope	Mitchell, Ill.	Smith, Va.
Dies	Houston	Mitchell, Tenn.	Smith, Wash.
Dingell	Hull	Moser, Pa.	Smith, W. Va.
Dirksen	Hunter	Mosier, Ohio	Snell
Disney	Imhoff	Mott	Snyder, Pa.
Ditter	Izac	Mouton	South

Sparkman	Taylor, Tenn.	Turner	Wigglesworth
Spence	Teigan	Umstead	Wilcox
Stack	Terry	Vinson, Fred M.	Williams
Starnes	Thomas, N. J.	Vinson, Ga.	Withrow
Steagall	Thomas, Tex.	Voorhis	Wolcott
Stefan	Thomason, Tex.	Wadsworth	Wolfenden
Summers, Tex.	Thompson, Ill.	Wallgren	Wolverton
Sumphin	Thurston	Walter	Wood
Sweeney	Tinkham	Warren	Woodruff
Swope	Tobey	Weaver	Woodrum
Taber	Tolan	Welch	Zimmerman
Tarver	Towey	Wene	
Taylor, Colo.	Transue	White, Ohio	
Taylor, S. C.	Treadway	Whittington	

The SPEAKER. On this call 374 Members have answered to their names, a quorum.

COMMITTEE TO NOTIFY THE PRESIDENT

Mr. RAYBURN. Mr. Speaker, I offer the following resolution, which I send to the desk.

The Clerk read as follows:

House Resolution 344

Resolved, That a committee of three Members be appointed by the Speaker on the part of the House of Representatives to join with a committee on the part of the Senate to notify the President of the United States that a quorum of each House is assembled and that Congress is ready to receive any communications that he may be pleased to make.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

The Chair appointed as members of the committee, Mr. RAYBURN, Mr. DOUGHTON, and Mr. SNELL.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed the following resolutions:

Senate Resolution 190

Resolved, That a committee consisting of two Senators be appointed to join such committee as may be appointed by the House of Representatives to wait upon the President of the United States and inform him that a quorum of each House is assembled and that the Congress is ready to receive any communication he may be pleased to make.

Senate Resolution 191

Resolved, That the Secretary inform the House of Representatives that a quorum of the Senate is assembled and that the Senate is ready to proceed to business.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 2090. An act authorizing the naturalization of Vernice May McBroom, and for other purposes;

S. 2710. An act for the relief of Ernestine Huber Neu-heller (nee Ernestine Huber); and

S. 2940. An act to make confidential certain information furnished to the Bureau of Foreign and Domestic Commerce, and for other purposes.

RESIGNATIONS

The SPEAKER. The Chair lays before the House the following resignations, which the Clerk will report.

The Clerk read as follows:

SEPTEMBER 29, 1937.

The SPEAKER.

House of Representatives, Washington, D. C.

SIR: I beg leave to inform you that I have this day transmitted to the Governor of New York my resignation as a Representative in the Congress of the United States from the Twenty-fifth District of New York.

Very truly yours,

CHARLES D. MILLARD.

SEPTEMBER 30, 1937.

WILLIAM B. BANKHEAD,

*Speaker, House of Representatives,
Washington, D. C.*

MY DEAR MR. SPEAKER BANKHEAD: I hereby respectfully tender my resignation as a United States Representative in Congress from the Eleventh Massachusetts District, effective September 30, 1937.

I have already tendered my resignation to His Excellency Gov. Charles F. Hurley, of Massachusetts. The same has been accepted as of the above date.

Very truly yours,

JOHN P. HIGGINS.

REPRESENTATIVES-ELECT

The SPEAKER. The Chair lays before the House the following communications from the Clerk of the House:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
November 15, 1937.

The SPEAKER,

House of Representatives, Washington, D. C.

MY DEAR MR. SPEAKER: Certificates of election in due form of law of the following Representatives-elect to the Seventy-fifth Congress to fill vacancies have been filed in this office, viz:

District and State	Representative-elect	Predecessor
Third Virginia.....	Dave E. Satterfield, Jr.....	Andrew J. Montague.
Seventh Massachusetts.....	Lawrence J. Connery.....	William P. Connery, Jr.

Very truly yours,

SOUTH TRIMBLE,
Clerk of the House of Representatives.

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
November 15, 1937.

The SPEAKER,

House of Representatives, Washington, D. C.

MY DEAR MR. SPEAKER: Certificates of election in due form of law covering the election of Representatives elect to the Seventy-fifth Congress to fill the three vacancies in the State of New York not having been filed in this office, the Clerk submits for information of the House a telegram from Hon. John J. Bennett, Jr., attorney general of the State of New York and chairman of the State board of canvassers, indicating the election of the following, viz:

District and State	Representative-elect	Predecessor
Seventeenth New York....	Bruce Barton.....	Theodore A. Peyser.
Twenty-fifth New York....	Ralph A. Gamble.....	Charles D. Millard.
Twenty-seventh New York.	Lewis K. Rockefeller.....	Philip A. Goodwin.

Very truly yours,

SOUTH TRIMBLE,
Clerk of the House of Representatives.

HON. SOUTH TRIMBLE,

Clerk, House of Representatives:

Official returns filed show BRUCE BARTON, Seventeenth Congressional District; RALPH A. GAMBLE, Twenty-fifth Congressional District; LEWIS K. ROCKEFELLER, Twenty-seventh Congressional District, were elected to fill vacancies. Certificates of election issued by State board of canvassers will be forwarded shortly.

JOHN J. BENNETT, JR.,

Attorney General and Chairman, State Board of Canvassers.

Mr. SNELL. Mr. Speaker, as evidenced by the telegram just received from the attorney general of the State of New York, Mr. BRUCE BARTON has been elected from the Seventeenth District of New York; Mr. RALPH A. GAMBLE has been elected from the Twenty-fifth District of New York; and Mr. LEWIS K. ROCKEFELLER has been elected from the Twenty-seventh District of New York. Those gentlemen are present. They desire to take the oath. There is no contest in the elections and no irregularities claimed.

Therefore, Mr. Speaker, I ask unanimous consent that the oath be given to these three gentlemen.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. SNELL]?

There was no objection.

The SPEAKER. Will the Members-elect present themselves at the bar of the House and receive the oath of office?

Mr. SATTERFIELD, of Virginia; Mr. CONNERY, of Massachusetts; Mr. BARTON, of New York; Mr. GAMBLE of New York; and Mr. ROCKEFELLER, of New York, appeared at the bar of the House and took the oath of office.

NOTIFICATION OF THE SENATE OF THE PRESENCE OF A QUORUM

Mr. DOUGHTON. Mr. Speaker, I offer a resolution, which I send to the desk.

The Clerk read as follows:

House Resolution 345

Resolved, That the Clerk of the House inform the Senate that a quorum of the House of Representatives has appeared and that the House is ready to proceed with business.

The resolution was agreed to.

HOUR OF MEETING OF THE HOUSE OF REPRESENTATIVES

Mr. O'CONNOR of New York. Mr. Speaker, I offer a resolution, which I send to the desk and move its adoption.

The Clerk read as follows:

House Resolution 346

Resolved, That until otherwise ordered the hour of daily meeting of the House of Representatives shall be 12 o'clock meridian.

The resolution was agreed to.

REPORT OF COMMITTEE APPOINTED TO NOTIFY THE PRESIDENT

Mr. RAYBURN. Mr. Speaker, your committee appointed to join a like committee of the Senate to inform the President of the United States that a quorum of both Houses is present has performed that duty and beg to report that the President will communicate forthwith with the Congress by a message in writing.

MESSAGE FROM THE PRESIDENT (H. DOC. NO. 370)

A message in writing from the President of the United States was communicated to the House by Mr. Latta, one of his secretaries.

The SPEAKER laid before the House the following message from the President of the United States, which was read by the Clerk:

To the Congress of the United States:

Important measures are already pending before this Congress and other matters will require early consideration. Therefore it has seemed advisable to call this extraordinary session to expedite the work of the regular session which will begin in January.

Since your adjournment in August there has been a marked recession in industrial production and industrial purchases following a fairly steady advance for more than 4 years.

We have not been unaware of uncertainties in the economic picture. As far back as last spring I called attention to the rapid rise in many prices, a rise that threatened in particular the anticipated revival of building. And over a month ago I quoted one of the country's leading economists to this effect—that the continuance of business recovery in the United States depends far more upon business policies than it does upon anything that may be done, or not done, in Washington.

The present decline has not reached serious proportions. But it has the effect of decreasing the national income, and that is a matter of definite concern.

During the adjournment of the Congress I have sought to avail myself of the wisdom and advice of managers of large industrial and financial enterprise, of owners of small businesses in many lines, and of representatives of agriculture and of labor.

Out of long experience I place great value on this method of getting suggestions from every possible source. Single answers or simple slogans will not cure the complicated economic problems which today face all nations.

To overemphasize one symptom out of many—to overemphasize any one panacea that for the moment appeals to any one group—is to play with the lives of all the men and women of America.

The ultimate answer to the conditions of today is a cordial and confident cooperation not only between government and every kind of citizen, but also between every kind of citizen and his government. As never before in our history, the well-being of those who have much, as well as those who have less, depends upon a contented society of good will where the good will rests on the solid foundation that all have enough.

From these conferences and from other sources many suggestions have come to me and to other members of the executive branch of the Government. Some of these recommendations are consistent with each other; some are at complete variance.

But these discussions make it clear that we have enough wisdom in the country today not only to check the present recession but to lay the ground work for a more permanent recovery. If the people are as willing as government to use

the economic knowledge gained in recent years, this recession need go no further.

With the exercise of ordinary prudence there is no reason why we should suffer any prolonged recession, let alone any general economic paralysis. Despite some maladjustments, which can be corrected, underlying conditions are not unfavorable.

The fundamental situation is not to be compared with the far different conditions of 1929. The banking system is not overextended. Interest rates are lower. Inventories are not dangerously large. We are no longer overextended in new construction or in capital equipment. Speculation requiring liquidation does not overhang our markets.

Obviously an immediate task is to try to increase the use of private capital to create employment. Private enterprise, with cooperation on the part of government, can advance to higher levels of industrial activity than those reached earlier this year. Such advance will assure balanced budgets. But obviously also government cannot let Nature take its course without regard to consequences. If private enterprise does not respond, government must take up the slack.

What we can do covers so wide a field and so many subjects that it is not feasible to include them all in this message.

A little later I will address you further in regard to proposals to encourage private capital to enter the field of new housing on a large scale; a field which during the past 4 years has failed almost completely to keep pace with the marked improvement in other industries.

On the subject of taxation, in accordance with my suggestion of last spring, committees of the Congress, with the cooperation of the Treasury Department, are already engaged in studies aimed at the elimination of any injustices in our tax laws. Unjust provisions should be removed provided such removal does not create new injustices. Modifications adequate to encourage productive enterprise, especially for the smaller businesses, must not extend to the point of using the corporate form for the purpose of hiding behind it to reduce or eliminate taxes in a way not open to an individual or partnership. Nor should we extend tax privileges to speculative profits on capital where the intent of the original risk was speculation rather than the actual development of productive enterprise. Nor can we at this time accept a revision of our revenue laws which involves a reduction in the aggregate revenues or an increase in the aggregate tax burdens of those least able to bear them.

We should give special consideration to lightening inequitable burdens on the enterprise of the small businessmen of the Nation. Small businesses or even those of average size have difficulties of financing and distribution which are not shared by large corporations. Therefore, by special tax consideration they should receive more equal opportunity to compete with their more powerful competitors. In this way we may also find assistance in our search for a more effective method of checking the growing concentration of economic control and the resultant monopolistic practices which persist today in spite of antitrust statutes. A further search for additional methods to meet this threat to free competitive enterprise is called for at this time.

The proposed Federal Budget for the coming fiscal year also will shortly be ready for submission to the Congress—a Budget which I expect can be brought within a definite balance.

Still other matters are receiving renewed examination; for instance the problems of the railroads and of other public utilities. Here because of thoroughly unsound financing extending over many past years, solutions will frankly be difficult.

But as we work with these problems of detail we must not forget the broad central truth—that this administration has pledged itself to the people of the United States to carry on with a wide social program pointed toward higher living standards and a more just distribution of the gains of civilization. Much of that program is already in effect, but its continued and complete success depends on a wider distribution

of an immensely enlarged national income. Such enlargement presupposes full employment of both capital and labor—reasonable profits and fair wages—a resumption of that vigorous moving equilibrium which began in 1933. Deflation and inflation are equal enemies of the balanced economy that will produce that progressive increase in national income.

In the attainment of the broad central purpose we recognize many related objectives. This message, however, deals with only four of these objectives—four which are already being considered by the Congress. Two relate directly to the stabilization and maintenance of the purchasing power of the Nation. The other two, essential tools for the whole task, look to the improvement of the machinery and functioning of both the executive and the legislative branches of the Federal Government.

1. AGRICULTURE

Intention to pass a new and permanent National Farm Act was declared by the Congress in joint resolution last summer. Great as the need was then, that need is still greater today. Some crops will begin to be planted within 3 months.

In recent weeks farmers have once more been facing acute surpluses and falling prices. Cotton farmers are harvesting the largest cotton crop in all our history—5,000,000 bales more than the markets of this country and of the world have been accustomed to take. Corn farmers and potato farmers are harvesting crops that threaten to crush them for producing this plenty; and the producers of other crops are wondering how soon they, too, will be the victims of surplus uncontrolled.

We must continue in our efforts toward abundance without waste. We need legislation which will not only prevent new farm surpluses from causing new collapse in farm prices but which will also safeguard farmers and consumers against the hazards of crop failure. We need an "all weather" farm plan—a plan that uses the reasonable surpluses of a year of good weather to carry over food supplies to make up for the shortages of a year of bad weather.

Out of the experience of the last 5 years we have learned that, with the aid of the Government, farmers can successfully guard themselves against economic disaster.

In formulating a farm program there are certain things we must keep in mind.

We must keep in mind the fertility of our soil. We have begun to assist farmers to stop the waste of soil and save the good soil that remains. Any sound long-time program must have soil conservation as a principal goal.

We must keep in mind the economic welfare of farm families. As a long-time national policy, farmers must have a fair share in the national income to supply farmers' buying to keep city factories running.

We must keep in mind the consumers of the Nation. The blighting droughts of 1934 and 1936 which spelt disaster for so many farmers in those years were brought forcibly home to our large cities in the high prices of many foodstuffs this year. Consumers should have the same protection against the underproduction of years of scarcity as the farmers should have against the overproduction of years of glut.

We must keep in mind the American democratic way. Farm programs cannot long succeed unless they have the active support of the farmers who take part in them. Our program should continue to be one planned and administered, so far as possible, by the farmers themselves. Here, again, majority rule seems justified. If and when huge surpluses in any one crop threaten to engulf all the producers of that crop, our laws should provide ways by which a small minority may be kept from destroying the proceeds of the toil of the great majority.

We must keep in mind the United States Treasury. I have already expressed my view that if the new farm act provides for expenditure of funds beyond those planned in the regular Budget, additional means should be provided to yield the additional revenue. May I reiterate that with all the emphasis I can give?

We must keep in mind the Constitution of the United States. Although vital portions of the Agricultural Adjustment Act were set aside nearly 2 years ago by the Supreme Court, acts of Congress to improve labor relations and assure workers' security have since then been upheld. In these later decisions the powers of the Federal Government to regulate commerce between the States and to tax and to spend for the general welfare have been clearly recognized.

I believe that the courts themselves are coming to have increasing regard for the true nature of the Constitution as a broad charter of democratic government which can function under the conditions of today. I believe that the Congress can constitutionally write an adequate farm act that will be well within the broad meaning and purpose of the Constitution.

I hope and believe that the Supreme Court will not again deny to farmers the protection which it now accords to others.

2. LABOR

I believe that the country as a whole recognizes the need for immediate congressional action if we are to maintain wage income and the purchasing power of the Nation against recessive factors in the general industrial situation. The exploitation of child labor and the undercutting of wages and the stretching of the hours of the poorest-paid workers in periods of business recession have a serious effect on buying power. In the interest of the national economy such adjustments as must be made should not be made at the expense of those least able to bear them.

I further believe that the country as a whole realizes the necessary connection between encouraging businessmen to make capital expenditures for new plants and raising the total wage income of the total of our working population. New plants today mean labor-saving machinery. What does the country ultimately gain if we encourage businessmen to enlarge the capacity of American industry to produce unless we see to it that the income of our working population actually expands sufficiently to create markets to absorb that increased production?

I further believe that the country as a whole recognizes the need of seeking a more uniformly adequate standard of living and purchasing power everywhere if every part is to live happily with every other part. We do not recognize the destiny of any State or any county to be permanently backward. Political and social harmony requires that every State and every county not only produce goods for the Nation's markets but furnish markets for the Nation's goods.

This does not mean that legislation must require immediate uniform minimum hour or wage standards; that is an ultimate goal.

We should provide flexible machinery which will enable industries throughout the country to adjust themselves progressively to better labor conditions. But we must not forget that no policy of flexibility will be practical unless a coordinating agency has the obligation of inspection and investigation to insure the recognition and enforcement of what the law requires.

Although there are geographic and industrial diversities which practical statesmanship cannot well ignore, it is high time that we had legislation relating to goods moving in or competing with interstate commerce which will accomplish two immediate purposes:

First, banish child labor and protect workers unable to protect themselves from excessively low wages and excessively long hours. Second, and the unsound practice of some communities—by no means confined to any one section of the country—which seek new industries by offering as the principal attraction labor more plentiful and much cheaper than may be found in competing communities. To them the Congress should reiterate the oft-repeated pledge of political parties that labor is not a mere commodity.

3. REORGANIZATION

Last January I presented for the consideration of the Congress the improvement of administrative management in the

executive branch of the Government. Five principal objectives were outlined:

(a) To create one or more additional departments and to give the Chief Executive authority to arrange all present and future strictly executive activities in or under regular executive departments.

(b) To establish a budget and efficiency agency, a personnel agency, and a planning agency through which the Chief Executive may coordinate the executive functions.

(c) To permit the Chief Executive to make a slight increase in the White House staff, so that he may keep in close touch with, and maintain knowledge of, the widespread affairs of administration which require his final direction.

(d) To establish accountability of the Executive to the Congress by providing a genuine independent audit by an officer solely responsible to the Congress, who will, however, have no administrative part in the transactions he audits and certifies.

(e) To extend the merit system upward, outward, and downward to cover practically all nonpolicy determining posts. I am giving consideration to proposed Executive orders extending the merit principle of selection under the authority vested in me by the Constitution and Revised Statutes. Executive orders, however, have not the permanence of law; they will not lessen the need for permanent legislation on this subject in connection with reorganization. I therefore seek a statutory modernized machinery for the permanent enforcement of merit principles in appointment, promotion, and personnel management throughout the Government service.

The experience of States and municipalities definitely proves that reorganization of government along the lines of modern business administrative practice can increase efficiency, minimize error, duplication, and waste, and raise the morale of the public service. But that experience does not prove, and no person conversant with the management of large private corporations or of governments honestly suggests, that reorganization of government machinery in the interests of efficiency is a method of making major savings in the cost of government.

Large savings in the cost of government can be made only by cutting down or eliminating government functions. And to those who advocate such a course it is fair to put the question, Which functions of government do you advocate cutting off?

4. PLANNING

Of equal importance with intelligent reorganization of the executive departments is intelligent reorganization of our methods of spending national funds for the conservation and development of those natural resources which are the foundation of a virile national life. As I said in a special message to the Congress last spring, we have reached a stage in the depletion of our natural resources where we should allot a definite portion of each year's budget to this work of husbandry.

Our present machinery for carrying out such purposes, however, is geared to methods of which the rivers and harbors legislation of many years ago is an example. We spend sporadically—on a project here and a project there, determined upon without relation to the needs of other localities, without relation to possibly more important needs of the same locality; without relation to the national employment situation or the Federal Budget.

To avoid waste and to give the Nation its money's worth from the national funds we expend, we must, like any business corporation, have a definite building and operating plan worked out ahead of time—a planned order in which to make expenditures, a planned timing for expenditures so that we may keep our working force employed, and a planned coordinated use of the projects after completion. And because relative values of local projects should be appraised before they come to Washington, first by those with local knowledge and then by regional conferences, we must have some kind of local and regional planning machinery and

coordination to get full value out of the final appropriations authorized in Washington—money value and human value.

Last session I recommended such machinery. For this purpose of conservation and development of our natural resources I recommended that the country be divided into the seven great regions into which Nature divided those resources; that in such regions local authorities be set up to arrange projects into some kind of comprehensive and continuing plan for the entire region; and that only after such consideration should regional projects be submitted to the Executive and to the Congress for inclusion in a national development program of such size as the Budget of the year will permit.

Such machinery will provide decentralization. It will give local communities and the Nation alike new confidence in the true worth of such expenditures.

What these four subjects promise in continued and increased purchasing power—what they promise in greater efficiency in the use of Government funds—are intelligent foundations for the other plans for encouragement of industrial expansion with Government help. What they promise in social contentment is an almost necessary basis for greater security of profits and property.

In the months they have been before the Congress they have been discussed from one end of the country to the other.

For the sake of the Nation, I hope for your early action.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, November 15, 1937.

Mr. RAYBURN. Mr. Speaker, I move that the message of the President be referred to the Committee of the Whole House on the state of the Union and ordered printed.

The SPEAKER. Without objection, the motion will be agreed to.

There was no objection.

ADJOURNMENT OVER

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Thursday next.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mr. FISH. Mr. Speaker, reserving the right to object, I would like to ask the majority leader when we on the minority will have an opportunity to answer parts of the President's message; whether that opportunity will occur next Thursday, or whether we will adjourn from Thursday until Monday?

Mr. RAYBURN. I will say that that all depends on what we have to do on next Thursday. As far as I am individually concerned, if there is not a program on next Thursday that will take up the day, I would have no objection to speeches being made.

Mr. FISH. The House has already voted that we are ready to proceed with business. There is no other business except the President's message, and I think we could well afford to spend a few hours on that next Thursday.

The SPEAKER. Is there objection to the request of the gentleman from Texas [Mr. RAYBURN]?

Mr. CHURCH. Mr. Speaker, I object. We are here for business. [Laughter.]

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mr. GIFFORD. Mr. Speaker, reserving the right to object, and I will not object, except to express my very great disappointment that we could not at once take up the message for comment, and that we could not hear the alibi speeches that should now be made.

Mr. O'CONNOR of New York. Mr. Speaker, I demand the regular order.

The SPEAKER. The regular order is, Is there objection to the request of the gentleman from Texas?

Mr. CHURCH. Mr. Speaker, I objected, and I still object.

The SPEAKER. The Chair understands that the gentleman from Illinois [Mr. CHURCH] objects to the unanimous-consent request.

PERMISSION TO ADDRESS THE HOUSE

Mr. LAMNECK. Mr. Speaker, I ask unanimous consent that at the next session of the House, whether it be tomorrow or Thursday, I may be permitted to address the House for 1 hour.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

Mr. HOOK. Mr. Speaker, I object.

Mr. FISH. Mr. Speaker, I ask unanimous consent to address the House for 30 minutes next Thursday immediately after the reading of the Journal and the disposition of matters on the Speaker's table.

The SPEAKER. Is there objection to the request of the gentleman from New York?

Mr. FULMER. Mr. Speaker, I object.

Mr. LAMNECK. Mr. Speaker, I ask unanimous consent to address the House for 2 minutes.

The SPEAKER. At this time?

Mr. LAMNECK. At this time.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. LAMNECK. Mr. Speaker, I ask unanimous consent to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

WAGE AND HOUR LEGISLATION

Mr. LAMNECK. Mr. Speaker, it goes without saying that this session of Congress is one of the most important we have ever attended.

Mr. Speaker, I have introduced a bill on hours and wages which I intend to offer as a substitute for Senate 2475 if it is urged for passage.

During the short vacation that has been granted to the legislative branch of Government I have been visiting with the people of my own district and conferring with them concerning the various proposals for the remaking of America.

I find that in the Twelfth District of Ohio the laws of Nature have been neither amended nor repealed. [Applause.] The sun continues to rise in the east and set in the golden west.

In my endeavors to learn the truth I have not limited my sources of information to political couriers, chosen for their ability to bring in joyful news, but I have talked with the captains of hundreds and the captains of tens, with the privates in the ranks, with those honestly seeking the more abundant life. Yes; I have even talked with the forgotten man, and I find a plague of fear of what the day may bring forth. There is uncertainty, inquiry, and doubt as to the wisdom of the many things we have done and there is great apprehension of some of the things we are threatening to do.

On my return to Washington I know my people want me to oppose, with all the ability I can command, any scheme involving the attempted surrender of their inalienable rights or the transfer of legislative power or duties to boards or commissions who are controlled in most part by persons outside the legislative branch of government.

We have witnessed during the past 2 months one of the most drastic declines in the securities market of this country which has ever been known, at least within my experience. It reached its height with dramatic swiftness and it came apparently without any of the usual warning signals. There seems to be considerable difference in opinion of what really caused this terrific deflation, but I feel reasonably certain that I know personally at least one important factor which has contributed to the unfortunate result. That factor is the unreasonable and unnecessary meddling of the United States Government into the affairs of American industry. Here are some of the things which are hampering business: The re-

straints upon freedom of action; the regulations upon the daily conduct of ordinary business affairs; the constantly increasing burden imposed by complicated and unsound tax laws; the uncertainty of the point at which the next governmental interference may strike. As a result businessmen generally feel that the long recognized principles of sound business conduct can no longer be counted upon to produce the usual results. All of these elements have gradually combined to produce a state of mind on the part of everyone engaged in industry in this country which makes for fear, uncertainty, lack of confidence, and a reluctance to make plans or commitments for orderly progress in the future. These considerations are fundamental and until such time as they are recognized and taken full account of we cannot expect any continuity of progress or development in either our social or economic affairs.

It is my considered judgment that the things which I have just mentioned are the prime causes of the recent fall in the securities markets and whatever slump in business we may now face.

There seems to be a program outlined in this country that it is possible to improve the condition of the underprivileged by the process of regulating, restricting, chastising, and generally detracting from the other members of society.

I want, at this point, to stigmatize as un-American any process or any propaganda which deliberately encourages class hatred and class distinction. The fact of the matter is that the well-being of those who have not is interwoven with the well-being of those who have. Exactly to the extent that impositions are heaped upon those members of society who control the destinies of the industry of this country, to that same extent will the men and women who look to industry for their daily bread and butter suffer. This principle is a matter of ordinary common sense; it is based on historical experience.

It is true now and always will be true, unless we are prepared to go to the extent of actually and openly appropriating without compensation the property of those who have for the benefit of those who have not. Such a step, of course, is bolshevism, communism, and utter anarchy. I, for one, do not believe that the country is as yet prepared for any such form of government or lack of government. Short of this, I reiterate that to the extent to which you injure business, whether it be directly in dollars and cents or whether it be in depriving it of the desire, willingness, and incentive to go forward to that same extent, you injure the very people for whose supposed benefit the thing is being done. If you were to look for the best way possible to increase the relief rolls in this country, no better way could be found. Let no theorist tell you differently. This is the hard, cold truth, whether you are a reformer or a reactionary, whether you like it or whether you do not.

I now desire to speak briefly on Senate bill 2475, the so-called wage and hour bill, which is now held up in the Rules Committee. I have read this bill carefully and I hope the other Members of this House have done likewise. If they have not I earnestly urge them to do so. I also wish it were possible, although I know it is not, for all the men and women in this country who are engaged in industrial enterprise, especially the little fellow, to become familiar with the contents of this document. If this were possible, I make the direct prediction to you that the Members of this Congress would be so overwhelmed with almost universal indignant protests that this bill would receive no further serious consideration. I have suggested to you that the country is weary and sick of governmental interference, that business and the country is suffering as a result of it. I say to you now that if the administration's bill is passed, all of the interference which has heretofore taken place combined will seem mere child's play compared to the consequences of the enactment of S. 2475. There is set up under this bill a scheme so complex, so entirely impractical of administration, so fraught with certainty of dangerous—not to say irksome and expensive—meddling on the part of a Government commission into the affairs of business, both great and small,

that the good Lord himself could not carry out the job satisfactorily if it were imposed upon Him.

The bill in its present form contains over 47 pages of printed matter. It is impossible for me within the limited time at my disposal to even scratch the surface of its numerous provisions. I will, however, select a few of them at random to give you a general idea of the extent to which it goes.

Under part IV, "General administrative provisions", section 9, entitled "A labor standard order", subsection (4), I quote:

Subject to the provisions of this act—

The Board—

may classify employers, employees, and employments within the occupation to which such order relates according to localities, the population of the communities in which such employment occurs, the number of employees employed, the nature and volume of the goods produced, and such other differentiating circumstances as the Board finds necessary or appropriate to accomplish the purposes of such order, and may make appropriate provision for different classes of employers, employees, or employment; but it shall be the policy of the Board to avoid the adoption of any classification which effects an unreasonable discrimination against any person or locality and to avoid unnecessary or excessive classifications and to exercise its powers of classification only to the extent necessary or appropriate to accomplish the essential purposes of the act.

How would any of you gentlemen like to undertake the job of classifying all of the employers, employees, and employments in this country in the manner indicated by this section?

Let me refer you to section 11 of the same part entitled "Advisory Committees on Fair Labor Standards with Respect to Wages and Hours":

SEC. 11. Before making an order under section 4 establishing a minimum wage or a maximum workweek, or both, for employees in any occupation, the Board shall appoint an advisory committee or committees to investigate and report upon the value of the services rendered by employees in such occupation or the number of hours of employment reasonably suitable to the nature of the work therein, or both, as the case may be. Each such advisory committee shall be composed of an equal number of persons representing the employers and the employees in such occupation, and of not more than three disinterested persons representing the public, one of whom shall be designated as chairman. Persons representing the employers and employees shall be selected so far as practicable from nominations submitted by employers and employees, or organizations thereof, in such occupation. Two-thirds of the members of such advisory committee shall constitute a quorum and the recommendations or report of such committee shall require a vote of not less than a majority of all its members. Members of an advisory committee shall be entitled to reasonable compensation to be fixed by the Board for each day actually spent in the work of the advisory committee in addition to their reasonable and necessary traveling and other expenses and shall be supplied with adequate stenographic, clerical, and other assistance.

What do you think of this job and how much money do you think such a procedure will cost the taxpayers of this country? And who do you think would constitute the three "public" members of the Board? If you want to know, just look at the appointments to boards and other groups designed to deal with business that have been appointed so far. Are they composed of persons experienced in business? Is the membership drawn from the ranks of those who have met pay rolls and encountered other everyday business problems in the past? The type of citizen who approaches a businessman's problem with sympathy, understanding, and a spirit of helpfulness? No, indeed. These jobs have been filled since 1932 chiefly by college professors, fledgling lawyers, and half-baked theorists who are without practical business experience and with no intention of getting any, except at the expense of the Government and industry.

Section 12, under the same part entitled "Investigations; Testimony":

SEC. 12. (a) The Board, in its discretion, may investigate and gather data regarding the wages, hours, and other conditions and practices of employment in any occupation subject to this act—

And so forth. Not only is the job here involved colossal but consider the possible hardship upon the business enterprises of this country inherent in this provision. Think of the time, trouble, and expense involved on the employer's part in preparing this data.

Section 14 (a), under the same part entitled "Records; Labels," note the following language:

The presence of any employee at the place of employment at any other hours than those stated in the schedule applying to him shall be deemed prima facie evidence of violation of such order, unless such employee is receiving the overtime rate provided in section 6 (b).

Think over the implications of this and the questions arising from its attempted enforcement.

Consider subdivision (c) of the same section:

No person other than the producer shall be prosecuted for the transportation, shipment, delivery, or sale of unfair goods who has secured a representation in writing from the person by whom the goods transported, shipped, or delivered were produced, resident in the United States, to the effect that such goods were not produced in violation of any provision of this act.

I am not sure that I understand this correctly, but as I do understand it I should like those of you who have had any practical business experience to put yourselves in the place of the person or corporation transporting, shipping, or selling goods who in order to secure immunity from prosecution must secure a statement of the character indicated from the person who produced the goods. Also put yourself in the place of the producer of the goods who is requested to make the statements. In either capacity, how do you think the efficiency of your operation would be affected by the requirements of this section?

Consider section 18 (a) of the same part entitled "Reparation; Release of Goods":

SEC. 18. (a) If any employee is paid by his employer a wage lower than the applicable minimum wage required to be paid by any provision of this act or of a labor standard order, or required to be paid to make it lawful under this act for goods in the production of which such employee was employed to be shipped in interstate commerce or to compete with goods shipped in interstate commerce, such employee shall be entitled to receive as reparation from his employer the full amount of such minimum wage, the amount actually paid to him by the employer.

What do you think of the potentialities of this for stirring up strife between employer and employees? What a ripe field of investigation for the shyster lawyer! Cannot you imagine how the tired businessman will be helped in the day-to-day conduct of his business and business conditions in the country improved?

Consider subsection (c) of section 8, part III, which section is entitled "Protection of Interstate Commerce from Effect of Substandard Labor Conditions." The significance of this subsection may be overlooked if the details of this bill are given only such consideration as the powers back of it are pleased to allow. It seems to be clearly foreseen that the operation of this particular legislation may result in an increase of the cost of necessities to the consumer to a point where foreign manufacturers may find it profitable to attempt to seize the American market, and, in order to forestall or prevent any such calamity, the bill provides that the protective-tariff principle may be invoked.

Shades of William McKinley and the "horse and buggy" days! We are asked to enact legislation which its proponents suspect will increase the cost of living, will imperil the home market, and then, in order to save us from our own folly, we are asked to borrow from our traditional political adversaries their panacea for ills of our own creation. It may be suspected that the all-wise are planning, by this maneuver, to enlist the support of the old-time, stand-pat Republican Members of Congress for the support of this measure, and are laying the groundwork to put upon their shoulders the blame for the inevitable failure of this noble experiment.

I could go on almost indefinitely along this line, but I think I have given you enough examples, taken absolutely at random, to make the point which I have in mind. It has been alleged that this bill is the proud handiwork of Messrs. Corcoran and Cohen. Whether it be or not, I am personally not particularly concerned. However, I will say this about its authorship: The bill itself proclaims to the high heavens the work of men who have had no practical experience whatever in the administration of a going business, whose ideas, how-

ever carefully elaborated they may be, are entirely theoretical and utterly impractical. Their handiwork, if enacted into law, would create a chaos in business never yet known to us, not even in the N. R. A. days. It sets an all-time high in crackpot legislation, which, in the light of certain measures passed during the last 5 years, is going some.

Now, what do I propose to do about all of this? Well, I hope to suggest a simple, workable substitute for his hodge-podge bill of doubtful, or at least unidentified parentage, which has been dropped into the hopper.

Let me make it very clear that I am not opposed to the social theory which condemns unduly low wages and unduly long hours. No decent American citizen can take exception to this attitude. What I do take exception to is any approach to a solution of this problem which is utterly impractical, which in its operation would be much more destructive than constructive to the very purposes which it is designed to serve, and which is intrinsically subversive of the fundamental principles of American democracy. The difficulty is that fear of criticism has caused many Members of Congress who understand the fallacy of this type of legislation to fail to voice their opposition. When one has the temerity to oppose such half-baked, impractical, and unworkable legislation as Senate bill 2475, he is immediately labeled as a heartless foe of the worker, bent on depriving him of the actual necessities of life. It is lack of courage to face such a false charge and stand up for common-sense legislation that causes all too many Members of both Houses to enact into law legislation of the ridiculous character of this wage and hour bill.

I now submit my answer in a form which I believe will accomplish the desired purpose to the extent that it is sound, helpful, and constructive, without at the same time giving industry another jolt from which to recover.

Senate bill 2475 proposes to set up a new commission for the purpose of making effective and administering the wages and hours proposal. It takes forty-odd pages of printed matter to describe the purposes and duties of this new body, with all its attachments, commissions, committees, attorneys, clerks, expenses, and appurtenances. All this, mark you, is to be paid for by the taxpayer in addition to all the other going governmental bodies at a time when we are supposed to be retrenching. I had thought that we already had enough commissions to run several governments. I had also understood that we were being asked under other pending administration legislation to empower the President to take drastic steps to reorganize the Federal Government departments and bureaus in the interest of speed, efficiency, and curtailment of expenses. It appears now, however, that we must have still another commission immediately. This present special session of Congress has been deemed necessary for the purpose of creating this commission, among other things.

I stand here to tell you gentlemen that if this new commission ever comes into existence and tackles the job imposed upon it by the forty-odd pages of printing it will put to shame in size, complexity, and cost of upkeep all of the other commissions together which we have been asked to create and have created during the last several sessions of Congress.

Considering these facts, I ask myself, What is the real nature of the objective we are being required to seek, and will it not somehow fit into the scheme of existing Government things? If I can find the answer to this, I will be really co-operating with the President in his broad, declared objectives. The plain answer, it seems to me, is this: On analysis, the basis upon which we can object to and get at the payment of oppressive wages, the maintenance of excessive hours of work, and improper child labor is that these practices, insofar as they affect interstate commerce, put a burden upon such commerce by creating competitive conditions which are unfair to other business paying a decent wage, working decent hours, and not employing child labor. In other words, what these "oppressors" are doing amounts to an unfair trade practice, an unfair method of competition in commerce.

Then it immediately becomes apparent that we already have a commission well qualified, well equipped and seasoned,

one whose very function it is, by the law of its creation, to put a stop to unfair methods of competition in commerce—the Federal Trade Commission. The machinery is set up, the trained personnel is there, and the Commission itself by its statesmanlike conduct of its business over a period of years has inspired general confidence in its administration of restrictive legislation. In passing I cannot forbear to say that in this respect the impression which it has created throughout the country is in marked contrast to the feelings which have been experienced and expressed about one of our more recent creations, the National Labor Relations Board. So, gentlemen, I have prepared and introduced a very simple bill covering about three pages of printing. This bill defines what is meant by oppressive wages, oppressive hours of work, and oppressive child labor. It denominates these practices as unfair methods of competition in commerce and expressly states that in so doing it is simply giving name to some of the practices referred to by section 5 of the Federal Trade Commission Act, which states:

SEC. 5. That unfair methods of competition in commerce are hereby declared unlawful.

Having thus placed the subject matter of the bill directly within the jurisdiction of the Federal Trade Commission, most of the further details of administration are automatically taken care of by the existing provisions of the Federal Trade Commission Act. The limited respects in which these provisions need supplement for present purposes I have undertaken to cover by special provision. For instance, the determination of what will constitute oppressive wages or oppressive work hours or oppressive child labor is for the Commission to make in each case, just as it is presently deciding every day whether other trade practices are unfair or constitute unfair methods of competition in commerce. But in view of the far-reaching effect and the novel character of the determination here involved, it has seemed to me wise to afford the Commission some lead from which to work. Consequently there have been specified a number of simple, well-understood considerations which shall be definitely taken under advisement in reaching determinations as to the oppressive nature of labor conditions.

In my opinion, the ultimate solution of the problem with which we are dealing is for each State to legislate in respect of labor conditions for its own industries of which it has first-hand intimate knowledge. One of the purposes of my bill is to encourage by its terms or implications this decentralizing process. In this regard it is in exact opposition to the principles of the administration's bill which will serve to increase the existing centralization of authority in the Federal Government even beyond its present peak.

Outside of a few simple enforcement provisions, I have now given you the gist of my proposal. I have no particular pride of authorship, but I do sincerely believe that if we are to have legislation on this much-mooted question it offers a workable basis of operation, which I cannot say for the administration's bill now pending.

One more contrast. My bill will operate on the same basis as does the present Federal Trade Commission Act, that is against individual offenders unless there are groups in collusion. Under the administration bill there is to be a blanket application to "occupations," which is given a broad interpretation, of standards of minimum wages and maximum hours. It apparently is not designed to take any cognizance of units in an industry or of geographical divisions. Thus, those differentials which have developed in this country and in the various industries over a period of years not by arbitrary action but through the operation of natural economic laws, are to be utterly ignored and all units in an industry and all sections of the country are to be pressed together in the same strait jacket. On this subject, I have reason to think that my colleagues in this Chamber from south of the Mason and Dixon's line entertain rather strong ideas.

It has been loudly proclaimed, and will be again, that 40 cents an hour and a 40-hour workweek are levels of decency which no fair employer can object to and which should not be contravened regardless of objection. For my part, I would

rather have the levels determined in the case of each employer by a fair-minded tribunal upon the basis of actual facts presented in the particular case than to have them jammed down the throats of entire industries at the behest of a group of law writers who are distinguished most of all by their well-known lack of training in every aspect of business but its theory.

I believe I have given sufficient reasons to convince most anyone that Senate bill 2475 should never be passed. I will say further, on my own responsibility, that if it is passed and becomes the law of the land, America will cease to be a free country the day the law goes into effect.

I have many other reasons for being opposed to the bill. First, I believe it is unconstitutional. On more than one occasion the Supreme Court has already held that the Federal Government has no power to control wages and hours of labor of employees—that these things, so far as control is at all possible, are within the police power of the various States and that Federal control can be brought about only by the usurpation of power. In this connection I would like to call your attention to part III, section 8 (a) of the bill, which I quote, as follows:

SEC. 8. (a) Whenever the Board shall determine that any substandard labor condition exists in the production of goods in one State and that such goods compete to a substantial extent in that State with other goods produced in another State and sold or transported in interstate commerce, in the production of which such substandard labor condition does not exist, the Board shall make an order requiring the elimination of such substandard labor condition and the maintenance of the appropriate fair labor standard in the production of goods which so compete.

Here you will observe a direct attempt to impose standards dictated by the new commission on purely intrastate operations merely because they compete with interstate operations. Are we to infer from this that the doctrine of State's rights has now been completely and openly relegated to the "horse and buggy" days?

It is true that outside of the example just given the bill attempts, as far as I can ascertain, to provide for the fixing of minimum wages and maximum hours only in occupations which may be declared to be associated with interstate commerce. It does not pretend, except as I have stated, to benefit the millions engaged in occupations not related to or connected with interstate commerce except by indirection—this despite the reckless disregard for States' rights otherwise evinced. The theory behind this unusual restraint seems to be that the fixing of wages and hours in some occupations will create so much trouble and discontent in others that the States will be obliged to take action to meet a new and unnatural situation. In other words, in this respect this bill is designed to accomplish by subterfuge what the Federal Government has no power to impose upon the business and labor of our country by straightforward honesty.

Thus it is implied that the human commission created to function under this bill will be able to simplify the enormous ramifications of modern business to such an extent that it can control that portion of a single industry engaged in manufacturing a part of its product for interstate commerce and leave another, perhaps a much greater, part of the same industry to the ministrations of Providence or the fortuitous conduct of the individual States.

In connection with the position already taken by the Supreme Court restricting the power of the Federal Government in fixing wages and hours of labor, it will be urged in all probability that the Supreme Court has set a precedent of reversing itself, that its decisions in the future are not to be based on the simple language of the Constitution itself, but must be from day to day in harmony with the ever-changing current of certain opinions.

It may be urged that the Constitution itself no longer forms the basis on which we are to build our future, but that, without a change in language, there shall be a change of interpretation of language from time to time to meet changes in conditions and to meet the fancies of those who wish to mold our destinies untrammelled by the dead hand of the past.

I shall not stop now to combat this line of thought, however fantastic it may appear in the light of mere human reason; but I do wish to warn you that if this condition has come upon us to stay, a tremendous responsibility has been added to the duties of the legislative branch of government—a responsibility of eternal vigilance lest the acts of Congress, ill-considered and ill-advised, shall transgress the basic laws of nature and the accepted rules of common sense. If our acts are not to be subject to review, if this is the court of last resort, then our errors are likely to be fatal and our acts must be guarded as we would guard our honor and our homes.

One of the arguments used by the proponents of the administration bill is that this is going to be a great benefit to labor. I deny this contention absolutely and predict that if the bill is passed American labor will lose most, if not all, of the great benefits they have gained by the fact they have been free men and have secured by their own efforts concessions which have improved their conditions financially and physically. American workingmen have been organized for a good many years and they have been doing quite well for themselves.

Possibly they have not yet gained their goal. Possibly they have not yet procured for themselves a just and adequate share of the fruits of their endeavors; but they have made substantial progress in their own behalf, in their own way, and they have kept their independence and their self-respect. There is before us no proof that labor is ready and willing to surrender its ideals to government, to trust its program to theorists, to return to the cradle and assume the role of a coddled infant. There is not sufficient certainly that the new untrained nurse may not fail to furnish the bottle regularly or might not neglect her ministrations entirely while day-dreaming on the velvety violet beds of Utopia.

I doubt if American labor is being fooled at all. I may be permitted to doubt the value to labor of any scheme to lessen the responsibility and necessity of organization. That is exactly what this administration bill is designed to accomplish; and, if enacted and accepted as sound public policy, it will be but the entering wedge to unlimited encroachments upon the private rights of millions—the worker will become a ward of Government; the millenium of the fairy-minded will be with us.

We are supposed to believe that a human commission, appointed and annointed by a human executive, will be able to perform miracles. It is inferred that this commission will have conferred upon it the ability to establish wages and hours suited to all the conditions in Georgia and in Massachusetts at one and the same time. The whole theory of the minimum wage is questionable. If this measure accomplished its purpose of disrupting labor organizations and taking over their mission, then the minimum will ever tend to become the maximum and those now earning satisfactory incomes will be reduced to even lower levels. The result will be a leveling down for the many and only imaginary benefit for the few.

I object to the proposed legislation because it will tend to set a dangerous precedent, dangerous to American liberty. Some day we may have a Chief Executive who will pride himself on not being a "man of sorrow and acquainted with grief," someone who will be greedy for power and ambitious for the members of his own family. Such an Executive may use this, or similar legislation, as a system of rewards for political loyalty and punishment for failure to pay tribute of whatever sort. When a set of economic royalists neglect to make satisfactory contributions to the party war chest, they may have their minimum wage scale increased and when one section of labor fails to deliver at the polls, it may be made to suffer a drastic reduction in hourly pay. Thus "control" may pass entirely out of the hands of those who pay and those who earn wages and receive salaries into the hands of one of the class who "toil not, neither do they spin."

We, of this House, have been permitted to view—yes; to participate in—the creation of enormous national debts for the payment of which the next generation must assume an unwilling obligation. All this may have been necessary. But

it is not necessary for us to enact legislation well designed to add chains to the burdens of this slavery.

We are told that the object sought to be attained by the fixing of maximum hours of work is to make necessary the employment of more men to produce the same volume of goods and thus reduce the ranks of the idle. This might work out to some extent if there were any assurance or any provision tending toward the probability that the level of production could be maintained. This leads very naturally to an inquiry as to why no legislative effort has been made looking toward the stimulation of production and the consequent employment of additional labor. There has never been before us during all of the depression one single suggestion designed to make it safe for those who have saved to invest their earnings in any American business enterprise. Nothing has been proposed that would tend to encourage men of genius and organizations of new businesses or the extension of industries already existing. We have entirely neglected the obvious, time tried, and tested methods of curing the evils of unemployment and have wandered from the beaten paths following a political will-o'-the-wisp.

No doubt there is a time to make experiments, there is a place for theory, there are reasons for studying all new and strange suggestions, but in times of peril it is foolish, beyond the power of words to describe, to neglect a certainty in order to pursue a fantasy.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. COSTELLO (at the request of Mr. BUCK), indefinitely, on account of illness.

To Mr. HEALEY (at the request of Mr. McCORMACK), indefinitely, on account of illness in family.

To Mr. ALESHIRE, indefinitely, on account of illness.

To Mr. DEEN, for the remainder of the week, on account of illness.

To Mr. LESINSKI, for today, on account of illness.

To Mr. McLAUGHLIN (at the request of Mr. COFFEY of Nebraska), indefinitely, on account of death of law partner.

To Mr. WHELCHER, indefinitely, on account of illness.

To Mr. SECREST, for 1 week, on account of illness.

To Mr. ELLENBOGEN, for 3 days, on account of illness in family.

To Mr. THOM, for 2 days, to attend the funeral of former Senator Atlee Pomerene.

Mr. GOLDSBOROUGH. Mr. Speaker, I ask unanimous consent that my colleague the gentleman from Maryland, Mr. COLE, may have an indefinite leave of absence on account of illness.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. BUCK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. BUCK. Mr. Speaker, it was with deep regret that I had to ask an indefinite leave of absence for my colleague the gentleman from California, Mr. COSTELLO. On his trip back to attend the session, on Saturday last, he was the victim of a most unfortunate automobile accident, which will incapacitate him and render him unable to attend the session for weeks to come. Both his legs were fractured, his collarbone was broken, and he is in a serious condition in a North Carolina hospital today.

The gentleman from California [Mr. COSTELLO] has been one of the most valuable Members of the House. His presence will be missed, and I am certain we all regret and deeply grieve over his incapacity.

EXTENSION OF REMARKS

Mr. DOUGHTON. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record by inserting an address

delivered by the Honorable Henry Morgenthau, Secretary of the Treasury, in New York on November 10 last.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. REED of New York. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein excerpts from a report showing the effect of the undistributed profits tax.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CELLER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and those of my colleague the gentleman from Connecticut [Mr. CITRON] on the subject of the corporate undistributed profits tax.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. SNYDER of Pennsylvania and Mr. CURLEY asked and were given permission to extend their own remarks in the RECORD.

Mr. MCFARLANE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a radio address I made on last Sunday.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BURCH. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an address delivered by the Honorable Louis A. Johnson, Assistant Secretary of War, at the convention of the American Legion, Department of Virginia, at Danville, Va., on August 25, 1937.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. FITZGERALD. Mr. Speaker, I ask unanimous consent to insert in the RECORD a radio address delivered by my colleague the gentleman from Connecticut [Mr. KOPPLEMANN].

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. KENNEY. Mr. Speaker, I ask unanimous consent that on November 24, after the reading of the Journal, the disposition of business on the Speaker's desk, and the other legislative business in order for the day, I may be permitted to address the House for 10 minutes.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

Mr. TABER. Mr. Speaker, reserving the right to object, is the majority leader going to permit Members to speak at a time so far in the future? It seems to me we ought not to permit special orders to address the House so long in advance.

Mr. RAYBURN. Mr. Speaker, replying to the gentleman, may I say it is all right with me for any Member to have authority to address the House after the disposition of the legislative business in order for that particular day. Of course, if the House is not in session on the particular day on which the Member requests permission to address the House, then the Member could not speak.

Mr. SNELL. Mr. Speaker, further reserving the right to object, until we know something about what the program of this special session is—and I suppose there is a program somewhere—I do not think we should permit definite commitments 2 or 3 weeks in advance. I object to any commitment of that kind 3 or 4 weeks in advance. If the gentleman wants to address the House tomorrow or the next day, I shall not object.

Mr. KENNEY. Mr. Speaker, I ask unanimous consent to proceed for 10 minutes tomorrow.

LXXXII—2

The SPEAKER. The gentleman from New Jersey asks unanimous consent that on tomorrow, after the reading of the Journal, the disposition of matters on the Speaker's table, and following the legislative program in order for the day, he may be permitted to address the House for 10 minutes. Is there objection?

Mr. BOILEAU rose.

Mr. PARSONS. Mr. Speaker, I object.

EXTENSION OF REMARKS

Mr. KENNEY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. LUDLOW. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a brief telegram from the Governor of North Dakota.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. O'MALLEY. Mr. Speaker, I ask unanimous consent that on the next day the House is in session, immediately following the reading of the Journal, I may be allowed to address the House for 10 minutes.

The SPEAKER. The gentleman from Wisconsin asks unanimous consent that on the next day the House meets, after the disposition of matters on the Speaker's desk and the legislative program in order for the day, he may be permitted to address the House for 10 minutes. Is there objection to the request of the gentleman from Wisconsin?

Mr. PARSONS. Mr. Speaker, I object.

EXTENSION OF REMARKS

Mr. WHITE of Ohio and Mr. LAMBERTSON asked and were given permission to extend their own remarks in the RECORD.

Mr. DICKSTEIN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a number of names of un-American activities in Los Angeles.

The SPEAKER. Is there objection to the request of the gentleman from New York?

Mr. COCHRAN. Mr. Speaker, reserving the right to object, a few days before the last session adjourned the gentleman from New York [Mr. DICKSTEIN] placed in the CONGRESSIONAL RECORD the names of some St. Louis people, stating they were connected with an organization which he has been attacking. I offer no objection to the gentleman's activities in throwing light on the organization's purposes.

I have in my possession one affidavit, and other affidavits will be submitted to me, to the effect that some of these people never belonged to the organization in question. I think, therefore, the gentleman from New York [Mr. DICKSTEIN] should refrain, at least for the time being, from placing in the RECORD the names of citizens of the United States he alleges belong to this organization to which he takes exception, and to which I likewise take exception, until he is positive he is correct. Mr. Speaker, for the time being, I object.

(Mr. PETTENGILL asked and was given permission to extend his own remarks in the RECORD.)

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

Mr. DICKSTEIN. Mr. Speaker, I object to the gentleman from St. Louis making the same request.

The SPEAKER. Objection is heard.

Mr. COFFEE of Nebraska. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a radio address which I recently made.

The SPEAKER. The gentleman from Nebraska asks unanimous consent to extend his own remarks in the RECORD

and to include therein a radio address which he recently made. Is there objection?

Mr. THOMAS of New Jersey. Mr. Speaker, reserving the right to object, I did not hear a word the gentleman said.

The SPEAKER. The Chair stated the gentleman's request. Mr. THOMAS of New Jersey. I did not hear the Chair's statement.

The SPEAKER. That is not the fault of the Chair. The Chair will restate the request. The gentleman from Nebraska [Mr. COFFEE] asked unanimous consent to extend his own remarks in the RECORD by incorporating a radio address delivered by himself. Is there objection?

There was no objection.

Mr. ANDREWS asked and was given permission to extend his own remarks in the RECORD.

Mr. MAGNUSON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a radio address delivered by me.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

ORDER OF BUSINESS

Mr. SUMNERS of Texas. Mr. Speaker, I desire to submit a suggestion for the consideration of the House and the leadership of the House.

The committees, of course, may begin functioning immediately. It seems to me rather an important matter of policy for it to be determined as early as possible whether we shall carry forward the ordinary business of legislation or whether we shall attempt to hold the House to the consideration primarily of the matters which have provoked the calling of this session. I do not desire to ask the leadership at this moment to make an announcement with regard to the matter, but I do suggest that as soon as it can be determined, after consultation with the chairmen of the committees, members of the committees, and so forth, as to what is to be the policy, we should try at least informally to agree upon such policy so we may all know what to do about it.

EXTENSION OF REMARKS

Mr. RANDOLPH. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a letter which I have addressed to my colleague the gentleman from Kentucky [Mr. FRED M. VINSON], in which I have asked for revision and modification of the undivided surplus and capital gains taxes.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for one-half a minute, in order that I may ask a question of the majority leader.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

AID TO BUSINESS

Mrs. ROGERS of Massachusetts. Can the majority leader tell me if anything will be done at this extra session of Congress to assist the industries engaged in the manufacturing of boots, shoes, and leather goods, as well as the cotton and woolen industries? The workers in my district are out of work. One industry has recently closed entirely, with 400 families affected. This is the case in many of the industries throughout Massachusetts besides the industries mentioned. Will anything be done to aid industry? The workers came to my office before I left. They know only too well of the recession in business, and hope that this Congress will rectify the mistakes that have hurt business and as a result hurt their employment.

The SPEAKER. The time of the gentlewoman from Massachusetts has expired.

EXTENSION OF REMARKS

Mr. SNELL. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing a short bill, which I have today introduced, calling for the repeal of the undistributed-profits tax and the capital-gains tax.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. SABATH asked and was given permission to extend his own remarks in the RECORD.

THE LATE HONORABLE ROBERT P. HILL

Mr. NICHOLS. Mr. Speaker, during the recent recess of Congress one of our colleagues, a man who has served in this body from two States of the United States—the State of Illinois and only recently the State of Oklahoma—a man who enjoyed the admiration and respect of every Member of this body, passed away. I refer, Mr. Speaker, to the late Honorable ROBERT P. HILL, of the Fifth District of Oklahoma.

Mr. Speaker, more will be said from the floor of this House at a later date in memory of our late colleague. At this time, Mr. Speaker, I offer a resolution and move its adoption.

The SPEAKER. The Clerk will report the resolution offered by the gentleman from Oklahoma.

The Clerk read as follows:

House Resolution 347

Resolved, That the House has heard with profound sorrow of the death of Hon. ROBERT P. HILL, a Representative from the State of Oklahoma.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

Resolved, That, as a further mark of respect, the House do now adjourn.

ADJOURNMENT

The resolution was agreed to; accordingly (at 1 o'clock and 25 minutes p. m.) the House adjourned until tomorrow, Tuesday, November 16, 1937, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

817. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated September 22, 1937, submitting a report, together with accompanying papers, on a preliminary examination and review of reports on St. Lucie, West Palm Beach, Hillsboro, North New River, and Miami Canals, Fla., authorized by the River and Harbor Act approved August 30, 1935, and requested by resolution of the Committee on Rivers and Harbors, House of Representatives, adopted February 13, 1935; to the Committee on Rivers and Harbors.

818. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated September 22, 1937, submitting a report, together with accompanying papers, on a preliminary examination of Siletz River and tributaries, Oregon, authorized by the Flood Control Act approved June 22, 1936, and by an act of Congress approved July 1, 1935; to the Committee on Flood Control.

819. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated September 22, 1937, submitting a report, together with accompanying papers and illustration, on a preliminary examination of Deschutes River, Oreg., with a view to control of floods, authorized by act of Congress approved June 13, 1934; to the Committee on Flood Control.

820. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated September 22, 1937, submitting a report, together with accompanying papers, on a preliminary examination of Lewis River and its tributaries, Washington, with a view to the control of floods, authorized by act of Congress approved June

13, 1934, and the Flood Control Act approved June 22, 1936; to the Committee on Flood Control.

821. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated September 22, 1937, submitting a report, together with accompanying papers, on a preliminary examination of Siuslaw River and tributaries, Oregon, authorized by an act of Congress approved July 1, 1935, and by the Flood Control Act approved June 22, 1936; to the Committee on Flood Control.

822. A letter from the Chairman, Reconstruction Finance Corporation, transmitting a report covering the operations of the Reconstruction Finance Corporation for the second quarter of 1937, and for the period from the organization of the Corporation on February 2, 1932, to June 30, 1937, inclusive (H. Doc. No. 385); to the Committee on Banking and Currency and ordered to be printed.

823. A letter from the Secretary of War, transmitting the Annual Report of the American National Red Cross for the fiscal year ended June 30, 1937; to the Committee on Military Affairs.

824. A letter from the Acting Secretary of the Interior, transmitting a copy of the following legislation passed by the Municipal Council of St. Thomas and St. John, and approved by the Acting Governor of the Virgin Islands; to the Committee on Insular Affairs.

825. A letter from the Secretary of War, transmitting a draft of a bill to provide for a commissioned strength of 14,659 for the Regular Army; to the Committee on Military Affairs.

826. A letter from the Acting Secretary of the Interior, transmitting a copy of the legislation passed by the Municipal Council of St. Croix at a meeting held September 8 and approved by the Governor of the Virgin Islands; to the Committee on Insular Affairs.

827. A letter from the national legislative chairman, Disabled American Veterans of the World War, transmitting the minutes of the seventeenth national convention of the Disabled American Veterans of the World War, held at Columbus, Ohio, August 2 to 6, inclusive (H. Doc. No. 383); to the Committee on World War Veterans' Legislation and ordered to be printed, with illustrations.

828. A letter from the Acting Secretary of the Interior, transmitting a copy of the following legislation passed by the Municipal Council of St. Thomas and St. John and approved by the Governor of the Virgin Islands; to the Committee on Insular Affairs.

829. A letter from the Acting Secretary of the Interior, transmitting copy of legislation passed by the Municipal Council of St. Croix and approved by the Acting Governor of the Virgin Islands; to the Committee on Insular Affairs.

830. A letter from the Acting Secretary of the Interior, transmitting copy of the following legislation passed by the Municipal Council of St. Thomas and St. John and approved by the Governor of the Virgin Islands; to the Committee on Insular Affairs.

831. A letter from the Secretary of the Interior, transmitting a draft of a proposed bill to extend the authority of the Secretary of the Interior to grant privileges, leases, and permits to all lands and buildings under the jurisdiction of the National Park Service, and for other purposes; to the Committee on the Public Lands.

832. A letter from the Secretary of War, transmitting draft of a bill to provide for a flowage easement on certain ceded Chippewa Indian lands bordering Lake of the Woods, Warroad River, and Rainy River, Minn., and for other purposes; to the Committee on Foreign Affairs.

833. A letter from the Secretary of War, transmitting a copy of a resolution adopted by the Philippine National Assembly on the occasion of the death of Hon. Joseph T. Robinson, late floor leader of the United States Senate; to the Committee on Memorials.

834. A letter from the consumers' counsel, National Bituminous Coal Commission, transmitting annual report of the

office of consumers' counsel of the National Bituminous Coal Commission, covering the activities of the office during the fiscal year 1937; to the Committee on Ways and Means.

835. A letter from the Secretary of Commerce, transmitting a report of the sale of 28,630 pounds of useless papers amounting to \$60.12; to the Committee on the Disposition of Executive Papers.

836. A letter from the Chairman, United States Maritime Commission, transmitting economic survey of the American merchant marine (H. Doc. No. 392); to the Committee on Merchant Marine and Fisheries and ordered to be printed.

837. A letter from the Acting Secretary of the Navy, transmitting a report of designs, aircraft, aircraft parts, and aeronautical accessories purchased by the Navy Department pursuant to section 10 of said act during the fiscal year ended June 30, 1937, and the prices therefor and the reason for the award in each case; to the Committee on Expenditures in the Executive Departments.

838. A letter from the Chairman, Federal Trade Commission, transmitting a supplementary report of the Federal Trade Commission on the agricultural income inquiry; to the Committee on Interstate and Foreign Commerce.

839. A letter from the director, national legislative committee, American Legion, transmitting proceedings of the Nineteenth Annual National Convention of the American Legion, held at New York City, September 20-23, 1937 (H. Doc. No. 386); to the Committee on World War Veterans' Legislation and ordered to be printed, with illustrations.

840. A letter from the Secretary of the Interior, transmitting a copy of the legislation passed by the Municipal Council of St. Thomas and St. John and approved by the Governor of the Virgin Islands; to the Committee on Insular Affairs.

841. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated September 22, 1937, submitting a report, together with accompanying papers, on a preliminary examination of Mermentau River, La., authorized by the Flood Control Act approved June 22, 1936; to the Committee on Rivers and Harbors.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. SWEENEY: A bill (H. R. 8334) to increase the salaries of city and village carriers and clerks in first- and second-class post offices; to the Committee on the Post Office and Post Roads.

By Mr. BACON: A bill (H. R. 8335) to repeal authority to the President to issue \$3,000,000,000 of greenbacks; to the Committee on Banking and Currency.

Also, a bill (H. R. 8336) to repeal the undistributed profits or surplus tax; to the Committee on Ways and Means.

By Mr. BLAND (by request): A bill (H. R. 8337) to amend section 4370 of the Revised Statutes of the United States (U. S. C., 1934 ed., title 46, sec. 316); to the Committee on Merchant Marine and Fisheries.

By Mr. SUTPHIN: A bill (H. R. 8338) providing for the examination and survey of the Beach Haven Inlet, Ocean County, N. J.; to the Committee on Rivers and Harbors.

By Mr. TOWEY: A bill (H. R. 8339) providing for the repeal of section 7 of the act entitled "An act to provide for the diversification of employment of Federal prisoners, for their training and schooling in trades and occupations, and for other purposes," approved May 27, 1930; to the Committee on the Judiciary.

Also, a bill (H. R. 8340) to amend the Revenue Act of 1936 with respect to the tax on capital gains and losses; to the Committee on Ways and Means.

Also, a bill (H. R. 8341) to amend the Revenue Act of 1936 with respect to the surtax on undistributed profits; to the Committee on Ways and Means.

By Mr. DIMOND: A bill (H. R. 8342) to amend section 128 of the Judicial Code, as amended; to the Committee on the Judiciary.

Also, a bill (H. R. 8343) to provide for the extension of prospecting permits in the Territory of Alaska; to the Committee on the Public Lands.

Also, a bill (H. R. 8344) to protect and preserve the salmon fishery of Alaska, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. KEOGH: A bill (H. R. 8345) for the postal employees' longevity; to the Committee on the Post Office and Post Roads.

By Mr. DEMPSEY: A bill (H. R. 8346) authorizing the sale of certain lands to the regents of the Agriculture College of New Mexico; to the Committee on the Public Lands.

By Mr. SNELL: A bill (H. R. 8347) to repeal section 14, title I, subtitle B (surtax on undistributed profits), and section 401, title II (capital-stock tax), of the Revenue Act of 1936; to the Committee on Ways and Means.

By Mr. O'CONNELL of Montana: A bill (H. R. 8348) to provide for the continuation and expansion of Federal Works Program, for the relief of hardship and suffering caused by unemployment, and for other purposes; to the Committee on Appropriations.

By Mr. WEAVER (by request): A bill (H. R. 8349) to provide for cancellation of citizenship and deportation in the case of certain naturalized citizens of the United States because of the advocacy of political doctrines subversive of the best interests of the United States; to the Committee on Immigration and Naturalization.

Also (by request), a bill (H. R. 8350) to provide that it shall be a criminal offense to advise, advocate, or teach principles of government based in whole or in part in opposition to or discrimination against people of any particular race or creed, and for other purposes; to the Committee on the Judiciary.

By Mr. LAMNECK: A bill (H. R. 8351) to designate the maintenance of oppressive wages or oppressive hours or oppressive child labor as an unfair method of competition in commerce, to confer jurisdiction thereof upon the Federal Trade Commission, and for other purposes; to the Committee on Labor.

By Mr. CURLEY: Resolution (H. Res. 348) for the relief of Helen Shanahan; to the Committee on Accounts.

By Mr. ASHBROOK: Joint resolution (H. J. Res. 498) proposing an amendment to the Constitution of the United States to provide for a referendum on war and to limit conscription and undeclared warfare; to the Committee on the Judiciary.

By Mr. DICKSTEIN: Joint resolution (H. J. Res. 499) authorizing the erection of a memorial to the late Guglielmo Marconi; to the Committee on the Library.

By Mr. SHANLEY (by request): Joint resolution (H. J. Res. 500) designating May 28, 1938, National Aviation Day; to the Committee on the Judiciary.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Oklahoma, memorializing the President and the Congress of the United States to pay Zoe A. Tilghman, the widow of William (Bill) Tilghman, on account of the killing of said William (Bill) Tilghman by Federal prohibition officer; to the Committee on Claims.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANDREWS: A bill (H. R. 8352) for the relief of John Pellet; to the Committee on Military Affairs.

By Mr. ASHBROOK: A bill (H. R. 8353) granting an increase of pension to Phebe Lucretia Dixon; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8354) granting an increase of pension to Laura S. D'Yarnett; to the Committee on Invalid Pensions. Also, a bill (H. R. 8355) for the relief of Lester Cooley; to the Committee on Military Affairs.

By Mr. BETTER: A bill (H. R. 8356) granting an increase of pension to George J. Fraehlick; to the Committee on Pensions.

Also, a bill (H. R. 8357) to correct the naval record of John R. Wilson; to the Committee on Naval Affairs.

Also, a bill (H. R. 8358) to correct the military record of Joseph E. Ryan; to the Committee on Military Affairs.

By Mr. CANNON of Missouri: A bill (H. R. 8359) for the relief of Roy Hesselmeyer; to the Committee on Claims.

By Mr. CLUETT: A bill (H. R. 8360) granting an increase of pension to Louise E. Van Norden; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8361) granting an increase of pension to Emma A. Trumble; to the Committee on Invalid Pensions.

By Mr. DELANEY: A bill (H. R. 8362) for the relief of John Joseph Murphy; to the Committee on Naval Affairs.

Also, a bill (H. R. 8363) for the relief of William F. Shanley; to the Committee on Military Affairs.

Also, a bill (H. R. 8364) for the relief of Oscar Forster; to the Committee on Military Affairs.

By Mr. DOXEY: A bill (H. R. 8365) for the relief of the stockholders of the North Mississippi Oil Mills of Holly Springs, Miss.; to the Committee on War Claims.

By Mr. ECKERT: A bill (H. R. 8366) granting an increase of pension to Elizabeth Miller; to the Committee on Invalid Pensions.

By Mr. FERGUSON: A bill (H. R. 8367) granting a pension to James Vergil Wright; to the Committee on Pensions.

Also, a bill (H. R. 8368) granting a pension to Conrad F. Korthanke; to the Committee on Pensions.

Also, a bill (H. R. 8369) for the relief of George O. Von Schrlitz; to the Committee on Claims.

By Mr. HOUSTON: A bill (H. R. 8370) granting a pension to Azelle V. Crawford; to the Committee on Invalid Pensions.

By Mr. JENKINS of Ohio: A bill (H. R. 8371) for the relief of the Mohawk Coal Co.; to the Committee on Claims.

Also, a bill (H. R. 8372) granting a pension to Rilla Christy; to the Committee on Invalid Pensions.

By Mr. KENNEDY of Maryland: A bill (H. R. 8373) for the relief of List & Clark Construction Co.; to the Committee on Claims.

Also, a bill (H. R. 8374) for the relief of Tiffany Construction Co.; to the Committee on Claims.

Also, a bill (H. R. 8375) for the relief of Roscoe B. Huston; to the Committee on Claims.

Also, a bill (H. R. 8376) for the relief of James D. Larry, Sr.; to the Committee on Claims.

Also, a bill (H. R. 8377) for the relief of H. W. Adelberger, Jr.; to the Committee on Claims.

By Mr. LAMNECK: A bill (H. R. 8378) granting an increase of pension to Eliza Duvendack; to the Committee on Invalid Pensions.

By Mr. LEWIS of Maryland: A bill (H. R. 8379) for the relief of James T. Webster and Mary A. Webster; to the Committee on Claims.

Also, a bill (H. R. 8380) for the relief of Glenn R. Martin; to the Committee on Claims.

By Mr. LUECKE of Michigan: A bill (H. R. 8381) granting an increase of pension to Sarah A. Troutt; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8382) granting a pension to Sarah Foxton Judson; to the Committee on Pensions.

By Mr. MASON: A bill (H. R. 8383) granting an increase of pension to Martha Thorson; to the Committee on Invalid Pensions.

By Mr. POLK: A bill (H. R. 8384) granting an increase of pension to Sarah King; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8385) granting an increase of pension to Elizabeth Brown; to the Committee on Invalid Pensions.

By Mr. QUINN: A bill (H. R. 8386) for the relief of Charlotte Lamby; to the Committee on Claims.

By Mr. SABATH: A bill (H. R. 8387) authorizing the Court of Claims to hear and adjust the claim of the trustees of the Construction Materials Corporation; to the Committee on Claims.

By Mr. TARVER: A bill (H. R. 8388) to carry into effect the findings of the Court of Claims, House Document No. 230, Sixty-fourth Congress, first session, in the matter of compensation due the estate of Wellborn Echols, deceased; to the Committee on War Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

3314. By the SPEAKER: Petition of the Chamber of Commerce of Amsterdam, N. Y.; to the Committee on Ways and Means.

3315. Also, petition of Lewis A. Dowd, asking that the House of Representatives institute an investigation of the ineligibility of former Senator Hugo L. Black; to the Committee on the Judiciary.

3316. Also, petition of the Tri-Cities Central Labor Union; to the Committee on the Judiciary.

3317. Also, petition of the Grand Lodge of Knights of Pythias; to the Committee on Ways and Means.

3318. Also, petition of the Transport Workers' Union of America; to the Committee on Appropriations.

3319. Also, petition of the New York State Federation of Labor; to the Committee on Rules.

3320. Also, petition of the German American Citizens' Alliance of Wisconsin, Inc.; to the Committee on the Judiciary.

3321. Also, petition of the American Federation of Labor; to the Committee on the Judiciary.

3322. Also, petition of the Banking Department of the State of New York; to the Committee on Banking and Currency.

3323. Also, petition of the Brotherhood of Painters, Decorators, and Paperhangers of America; to the Committee on Appropriations.

3324. Also, petition of the Acting Custodian of Archives; to the Committee on Foreign Affairs.

3325. Also, petition of the Jacksonville Wholesale Lumbermen's Association; to the Committee on Labor.

3326. By Mr. KEOGH: Petition of the American Federation of Labor, Washington, D. C., concerning the preservation of the present form of administration of the Federal workmen's compensation laws by maintaining the United States Employees' Compensation Commission as an independent establishment; to the Committee on Labor.

3327. Also, petition of the Prominent Specialty Co., New York City, concerning the Black-Connery bill (S. 2475 and H. R. 7200); to the Committee on Labor.

3328. Also, petition of the New York Board of Trade, Inc., New York City, concerning reorganization of the executive departments of the Government; to the Committee on Government Organization.

3329. By Mr. PFEIFFER: Petition of the Electrolux, Inc., Brooklyn, N. Y., concerning the Black-Connery bill; to the Committee on Labor.

3330. Also, petition of the Intercoastal Lumber Distributors Association, Inc., New York, concerning the wage and hour legislation; to the Committee on Labor.

3331. Also, petition of the Brooklyn Merchant Bakers Association, Brooklyn, N. Y., concerning the new farm bill; to the Committee on Agriculture.

3332. Also, petition of the New York Board of Trade, Inc., New York City, concerning reorganization of the executive departments of Government; to the Committee on Government Organization.

3333. Also, petition of the Prominent Specialty Co., New York City, concerning the wage and hour bill; to the Committee on Labor.

SENATE

TUESDAY, NOVEMBER 16, 1937

The Chaplain, Rev. Z. Barney T. Phillips, D. D., offered the following prayer:

Almighty and everlasting God, who art the creator of the ends of the earth, who faintest not, nor art ever weary, of whose understanding there is no searching: Save Thy people and bless Thine heritage; govern them and lift them up forever, that they may know that they who wait upon the Lord shall renew their strength; they shall mount up with wings as eagles; they shall run and not be weary; they shall walk and not faint.

Vouchsafe, therefore, unto us this day that we, by the up-soaring of our faith, may see what is the truest way, the highest good; that we may desire only to do the thing that pleaseth Thee, and that we may go from dream to duty carrying our vision and our rapture into the actualities of life, where it is given to love's warm flame to repair the grievous injuries that sin hath wrought in the souls of men, and where good deeds done and truth sown as seeds shall ever rise again in new harvests of beauty. We ask it in the name of our Exemplar and Redeemer, Jesus Christ, our Lord. Amen.

APPEARANCE OF SENATORS

ROBERT J. BULKLEY, a Senator from the State of Ohio; JAMES J. DAVIS, a Senator from the State of Pennsylvania; PAT HARRISON, a Senator from the State of Mississippi; JOSH LEE, a Senator from the State of Oklahoma; ERNEST LUNDEEN, a Senator from the State of Minnesota; JOHN H. OVERTON, a Senator from the State of Louisiana; GEORGE L. RADCLIFFE, a Senator from the State of Maryland; HARRY S. TRUMAN, a Senator from the State of Missouri; and F. RYAN DUFFY, a Senator from the State of Wisconsin, appeared in their seats today.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of Monday, November 15, 1937, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States, submitting nominations, were communicated to the Senate by Mr. Latta, one of his secretaries.

CALL OF THE ROLL

Mr. LEWIS. I note the absence of a quorum, and ask for a roll call.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Connally	Johnson, Colo.	Pepper
Andrews	Copeland	King	Pittman
Ashurst	Davis	La Follette	Pope
Austin	Dieterich	Lee	Radcliffe
Bailey	Donahey	Lewis	Reynolds
Bankhead	Duffy	Lodge	Russell
Barkley	Ellender	Logan	Schwartz
Berry	Frazier	Loneragan	Schwellenbach
Bilbo	George	Lundeen	Sheppard
Borah	Gibson	McAdoo	Shipstead
Bridges	Gillette	McCarran	Smathers
Brown, N. H.	Glass	McGill	Smith
Bulkley	Graves	McKellar	Thomas, Okla.
Bulow	Green	McNary	Thomas, Utah
Burke	Guffey	Miller	Townsend
Byrd	Hale	Minton	Truman
Byrnes	Harrison	Murray	Tydings
Capper	Hatch	Norris	Vandenberg
Caraway	Hayden	Nye	Van Nuys
Chavez	Herring	O'Mahoney	Wagner
Clark	Hitchcock	Overton	White

Mr. LEWIS. I announce that the junior Senator from West Virginia [Mr. HOLT] and the Senator from Delaware [Mr. HUGHES] are absent because of illness.

The Senator from Washington [Mr. BONE], the Senator from Michigan [Mr. BROWN], the Senator from Connecticut [Mr. MALONEY], the Senator from New Jersey [Mr. MOORE],